St Patrick's College Science and Learning Building

State Significant Development Assessment SSD 10400

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Cover image: View of the Science and Learning Building (Source: Applicant's EIS 2020)

Glossary

Abbreviation	Definition
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
BDAR	Biodiversity Development Assessment Report
Building	St Patrick's Science and Learning Building
CIV	Capital Investment Value
Certifier	The holder of accreditation as an accredited certifier under the *Building Professionals Act 2005* acting in relation to matters to which the accreditation applies
Council	Strathfield Council
CEMP	Construction Environmental Management Plan
CPTED	Crime Prevention Through Environmental Design Principles
CTMP	Construction Traffic Management Plan
Department	Department of Planning, Industry and Environment
Education SEPP	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
EESG	Environment, Energy and Science Group of the Department
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
GIR	Geotechnical Investigation Report
Heritage	Heritage NSW, Department of Premier and Cabinet
HIS	Heritage Impact Statement
K&R	Kiss and Ride

LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
NML	Noise management levels
SLEP 2012	Strathfield Local Environmental Plan 2012
SDCP 2005	Strathfield Development Control Plan 2005
NIA	Noise Impact Assessment
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RL	Relative Level
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW
TIA	Transport Impact Assessment

Executive Summary

This report provides an assessment of a State significant development (SSD) application for the development of St Patrick's College Science and Learning Building (The Building) (SSD 10400) at 1 Edgar Street, Strathfield within the Strathfield local government area (LGA). The Applicant is St Patrick's College Strathfield (the Applicant).

The Department of Planning, Industry and Environment (the Department) is satisfied that the site is suitable for the proposal and would allow for the continued operation and expansion of an existing school. The Department concludes the proposal is in the public interest and recommends the application be approved subject to conditions.

St Patrick's College has operated since 1928 at 1 Edgar Street, Strathfield, and has an approved capacity of 1436 (Years 5 – 12) students and 140 staff members. The school has proposed to develop a Science and Learning Building to provide additional science, sporting and education facilities. The Building would be located within the overall College campus. It is also proposed to increase student and staff numbers.

The Department considers the application is consistent with the objects of the *Environmental Planning and Assessment Act 1979* including ecologically sustainable development. The site is suitable for the proposed development, as it involves the redevelopment of available space on a constrained site, to provide new and improved educational facilities. The Department considers that the key issues (heritage, built form and urban design, noise and vibration, and traffic and transport) were satisfactorily addressed by the Applicant and are acceptable with environmental mitigation measures and recommended conditions of consent.

The proposal is SSD under clause 15(2) of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of alterations and additions to an existing 'educational establishment' with a CIV of more than $20 million.

The application was publicly exhibited between 2 June 2020 and 29 June 2020 (28 days). The Department received a total of nine submissions. Five submissions were from public authorities and four were public submissions, including two objections. Strathfield Council did not provide an objection to the proposal. Key issues raised in public authority submissions related to the assessment of site contamination, construction impacts, local road traffic impacts, non-Aboriginal archaeology, flooding, and local water infrastructure capacity. Public authority concerns have been addressed through conditions placed upon the development to avoid, minimised, mitigate or offset impacts.

The Applicant's Response to Submissions (RtS) received 14 October 2020 included responses to the issues raised in the submissions including phase 2 assessment of land contamination, management of construction impacts, community use, staggered school times for students and a Green Transport Plan (GTP) to minimise traffic impacts, alterations to school kiss and ride zones, and a preliminary construction traffic management plan, further non-aboriginal cultural heritage assessment, design refinement to minimise flooding risks, and further assessment of compatibility of the development with local water infrastructure.

Contents

1 Introduction

This report provides an assessment of a State significant development (SSD) application (SSD-10400) for a new science and learning building with rooftop sports courts (the Building) within St Patrick's College Strathfield (the College) at 1 Edgar Street, Strathfield. The application also proposes to increase student numbers from 1436 to 1790, as well as increase staff numbers from 140 to 148. The application was lodged by St Patrick's College Strathfield (the Applicant).

1.1. Site Description

The College is located at 1 Edgar Street, Strathfield, within the Strathfield LGA, 15km from Sydney CBD. The regional context of the site is shown in **Error! Reference source not found..**

The subject site is located on Lot 20 DP 1203221, and occupies the majority of the street block bounded by Fraser Street and Merley Road to the east, Fraser Street to the west, and Barker Road to the south. Edgar Street passes through the College as a pedestrian right-of-way that remains open to the public for the purpose of access across the campus. The local context of the College is shown in **Figure 2**. The existing capacity of the College is currently for 1436 students between Years 5 to 12, with 140 full time equivalent staff.

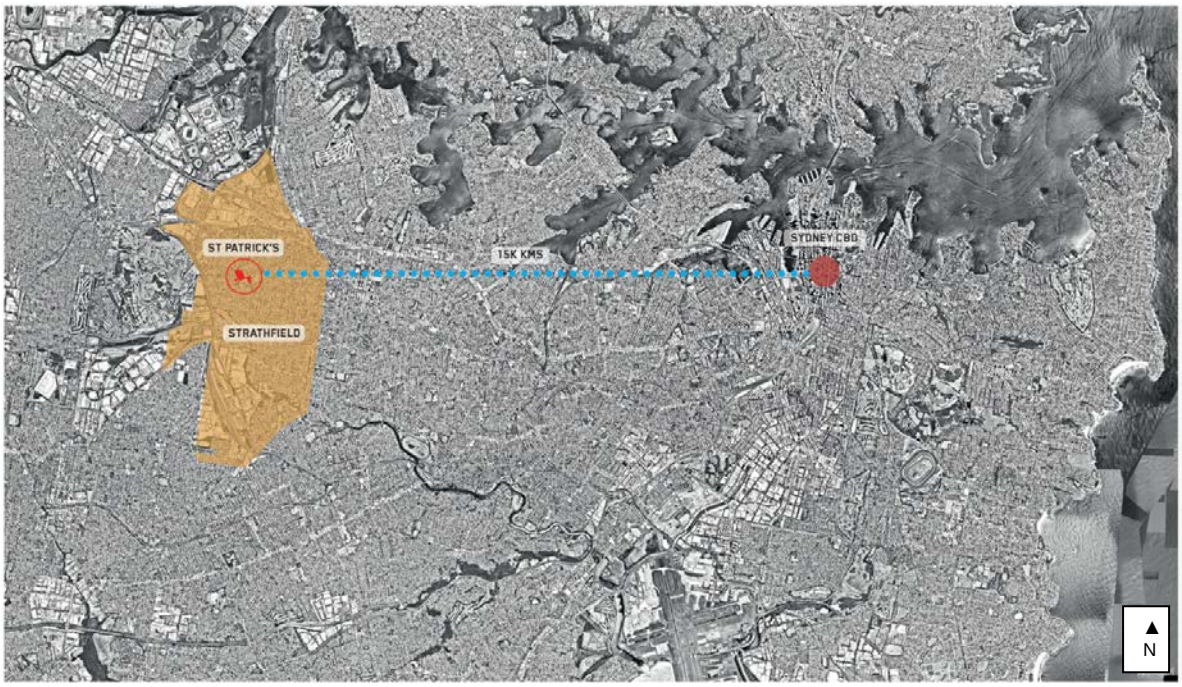


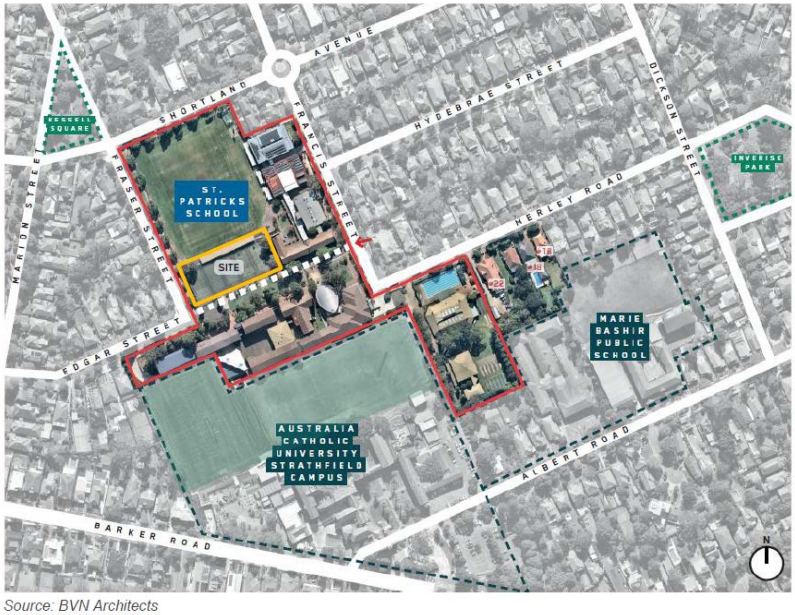
Figure 1 | Regional Context Map (Source: Nearmap 2020)

Figure 2 | Local Context Map (Source: Urbis 2020)

Site characteristics

The proposal is located on the centre portion of the existing College campus, as shown in the yellow box in **Figure 3**. The campus is legally described as Lot 20 DP 1203221, Lot 10 DP 1061230 and Lot 12 DP 1095571.

The proposed Building site is currently occupied by five at-grade tennis courts, and a terraced area of seating used by spectators during sporting events on Breen Oval — with Fraser Street to the west, Breen Oval directly to the north, the Coghlan Building to the east, and the Edgar Street right-of-way running parallel to the southern edge. The site is shown in **Figures 4-6**.



Source: BVN Architects

Figure 3 | College boundary, proposal site (yellow outline) (Source: Applicant's EIS 2020)

The overall College campus contains various existing school buildings, mostly two and three-storeys in height and with face-brick facades. The Brother Hickey Building (Brother Hickey Building) was built in 1928 and is situated directly south-east of the existing tennis courts and is an item of local heritage significance listed under the Strathfield Local Environment Plan 2012 (SLEP 2012). The Brother Hickey Building is currently largely obscured from the public domain, particularly from the Merley Road Heritage Conservation Area (HCA) and the Marion Street HCA, and primary views of the building are from within the school grounds, predominantly from the Edgar St right-of-way and in the formal gardens south of Breen Oval. The College includes a range of formal landscaped areas along the Edgar Street right-of-way.

Figure 4 | Existing view of the proposal location from Edgar Street (Source: Applicant's EIS 2020)

Figure 5 | Entrance from Fraser Street (Source: Google Maps 2020)

Figure 6 | View of the subject site from Breen Oval (Source: Applicant's EIS 2020)

Parking

There are 102 existing off-street parking spaces used for staff parking servicing the school, which are situated across five parking areas, including 31 car spaces allocated to the school at the Australian Catholic University campus (ACU). In addition, an undercover bike rack located on the grounds provides for up to 10 bicycles.

There is currently a Kiss & Ride (K&R) parking zone on Edgar Street and the eastern side of Fraser Street which restricts parking on school days between 8:00am-9:30am and 2:30pm-4:00pm to allow for the drop off and pick up of students. Outside of the hours of K&R operation, parking is not time restricted. On the western side of the Fraser Street there is unrestricted kerbside parking.

1.2. Surrounding Developments and Public Transport

The school campus is surrounded by multiple low-density residential dwellings, a school, university campus and public open spaces, shown in **Figure 7**. The key land uses surrounding the College are:

- to the south: the site directly adjoins the ACU Campus, including its buildings and grounds. There are a number of key bus routes along Barker Road.
- to the north: immediately north of the site is low-density residential on Shortland Avenue.
- to the east: the site is bound by Francis Street with a frontage to the main entrance of the College and houses on the eastern side of the street. The Marie Bashir Primary school and OSH Care Centre also adjoin the College to the south-east.
- to the west: the site is bound by Fraser Street which contains low-density residential.

Figure 7 | Surrounding Development (Source: Applicant's EIS 2020)

The site is surrounded by two-way local roads including Edgar Street, Fraser Street, Shortland Avenue, Fraser Street and Merley Road along the west, north and east boundaries of the site respectively. The speed limit of the surrounding road network is 50km/h, with 40km/h school zone restrictions along all except Shortland Avenue during school hours, and a pedestrian crossing is provided on Fraser Street. Bike routes located on Dickson Street and Newtown Road connect to a wider Council cycle network. The school is within 2km walking distance of Flemington Station, Homebush Station and Strathfield Station. The 407 bus service runs on Merley Road and Fraser Street, and various school bus services, including route 579 shuttle to Strathfield station, cover school start and finish times.

2 Project

The key components and features of the proposal, as refined by the RtS, are provided in **Table 1**. The Building, podium level outdoor sports courts, and civic space and landscaping to the west, are shown in the context of the existing College in Error! Reference source not found. to **Figure 20**.

Table 1 | Main components of the project

Aspect	Description

Project Summary	Redevelopment of St Patrick's College Strathfield comprising:
	• Demolition of the existing tennis courts located at the centre of the campus;
	• Construction of a new four-storey science and learning building (the Building) consisting of:
	  • Food technology classrooms;
	  • Science learning spaces, including labs;
	  • Canteen and café: for school student and staff use, and community function use;
	  • College dining area, including outdoor dining area;
	  • Learning spaces;
	  • General learning areas;
	  • Basement car park with 59 parking spaces, accessed by Fraser Street;
	• Two (2) x rooftop sports courts;
	• Two (2) x ground level sports courts;
	• Civic space located to the east of the Building;
	• Minor alterations to the forecourt adjoining the Coghlan building, to provide an appropriate interface and connection with the Building;
	• Staged increase in student population cap to a maximum of 1790 by 2030.

Site Area	22,965 square metres (m^2).
Jobs	110 construction jobs and up to 18 additional operational jobs.
Capital Investment Value (CIV)	$22,330,000.
Development components	
Building components	• Demolition of the existing tennis courts, bleachers and roof, fences, planter boxes and trees, footpath, ramp and wall located at the centre of the campus. • Construction of a new four-storey Building comprising: o Basement (below ground from Edgar Street): carpark providing 59 off-street parking spaces and 8 bicycle parking spaces, wellness room, storeroom, cold room, and driveway access ramp (Error! Reference source not found. and Error! Reference source not found.);

	o Level 0 (podium/ground level): two sports courts, civic space, terraced seating (outdoor); canteen and café, dining room, foyer, food preparation, kitchen and food technology rooms, cold room and toilet facilities (**Figure 12** and **Figure 13**); o Level 1: Science laboratories (wet labs, experimental area, preparatory area, write-up areas), general learning spaces, meeting rooms, toilets (**Figure 14**); o Level 2: Science laboratories (wet labs, experimental area, preparatory area, write-up areas), learning spaces, meeting room, toilets, outdoor learning space, chemical storeroom (**Figure 15** | Floor Plan: GA Plan Level 2 - Science Laboratories & General Learning (Source: Applicant's EIS 2020) (Source: Applicant's EIS 2020) o); o Rooftop: 2 x sports courts, roof plant and services area, shade structure, solar panels, circulation awning canopy, stainless steel mesh fencing (**Figure 16** and Error! Reference source not found.); o Lift and stairs for access; o A new digital scoreboard proposed in the landscape of Breen Oval.
Height of building	• 17.96m above existing ground to the top of the fence for the rooftop.
Gross floor area (GFA)	• 4280m^2.
Access	• New vehicle access to the basement provided off Fraser Street. • Retention of existing pedestrian and cyclist access.
Car Parking	• A new basement carpark with 59 car spaces for staff and event parking including accessible spaces, one loading space for small deliveries, emergency vehicle access to at grade carpark. • Removal of 6 existing parking spaces to provide additional green space. • A nett increase of 53 car spaces on site up to 155 on-site spaces.
Bicycle parking	• 42 bicycle parking spaces (including basement spaces).
Landscaping	• The removal of 14 trees from the site. • Rooftop-sports court and adjoining landscaped seating areas
Student and teacher numbers	• Staged increase to a maximum of 1790 students and 158 staff.

Figure 8 | Proposed site layout of the Development and existing buildings (Source: Applicant's EIS 2020)

2.1 Physical layout and design

The proposed Building is a four-storey building with basement staff carpark, rooftop and ground level sports courts and three levels of new teaching spaces. The floor plans for the proposed Building are provided in **Figures 9 – 17.**

A Landscape Design Strategy has been prepared for the College around the new Building. The new Building provides an opportunity to establish an active centre for the College, consolidating sports courts and establishing a flexible civic area on the eastern side of the new Building. This area will become the heart of the campus defined by the nexus of the Edgar Street drop-off, the sports field and the through-site link to the Fraser Street entry to the Campus. The proposal also involves landscaping connecting the existing buildings and features of the College to the new Building.

The Building would be located at the middle of the campus with the closest access to the Building being from the pedestrian access gate on Fraser Street, and via the Edgar Street pedestrian thoroughfare. The Building is designed considering the constraints of Breen Oval's size requirements and to incorporate spectator seating for Oval sporting events, maintain site lines from the Brother Hickey heritage building, maintain pedestrian right of way along Edgar Street and access and light, and create a new civic space. The contemporary building would follow the natural slope of the land and would appear as a three-storey building internally within the site on the existing ground line on Edgar Street (**Figure 17**).

The Building roof when viewed from Edgar Street would sit at a similar height to existing buildings on campus, including the Brother Hickey Building. The rooftop sports courts would be enclosed by a 6m

stainless-steel and planted mesh fence for safety. Adjoining landscaped seating and plantings are proposed to complement the sports facility.

The arrangements of the proposed facilities within the Building are provided in **Figure 9** to **Figure 19**, and the building in the context of the Edgar Street with the heritage buildings in the backdrop is shown in Error! Reference source not found.. The driveway ramp entry from Fraser Street is shown in **Figure 13**. The new access driveway will facilitate two-way flow and will measure 6m in width.

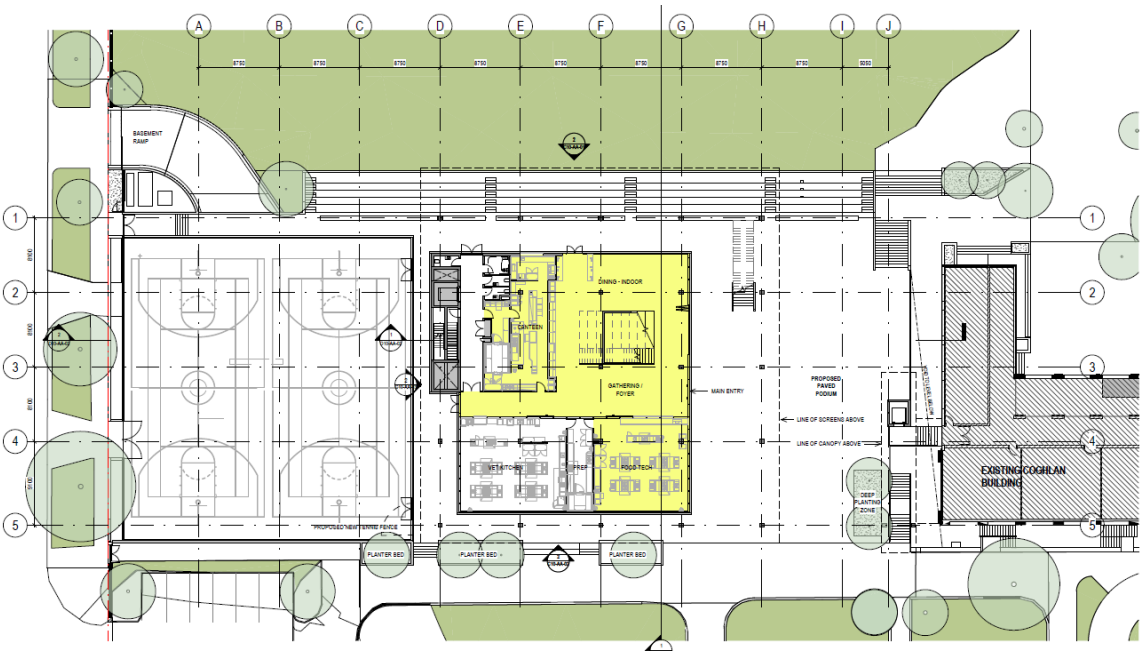


Figure 9 | Floor Plan: GA Plan Ground Level (Overall) (Source: Applicant's EIS 2020)

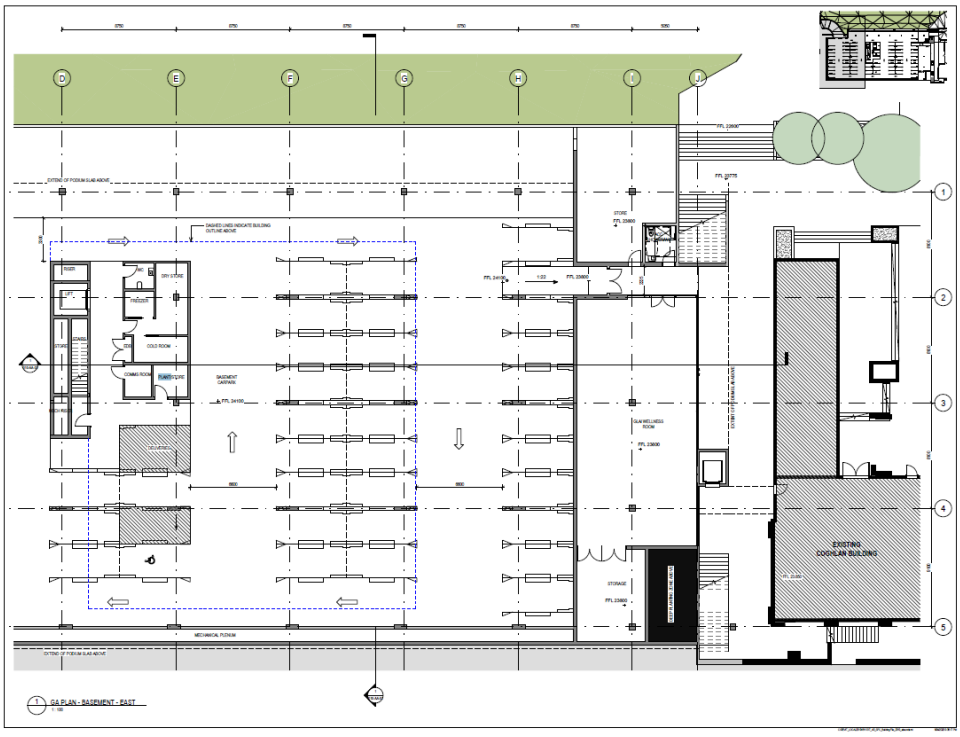


Figure 10 | Floor Plan: GA Plan Basement Car Park (Sheet 1 of 2) (Source: Applicant's EIS 2020)

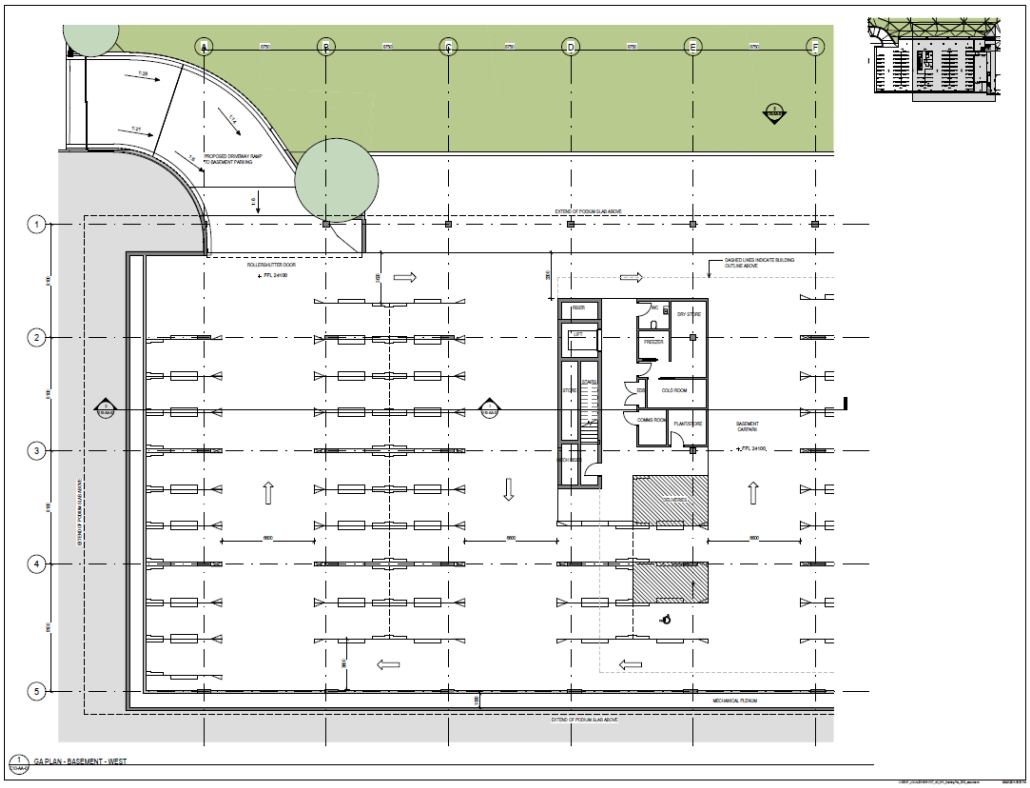


Figure 11 | Floor Plan: GA Plan Basement Car Park and Driveway Ramp Entry from Fraser Street (Sheet 2 of 2) (Source: Applicant's EIS 2020)

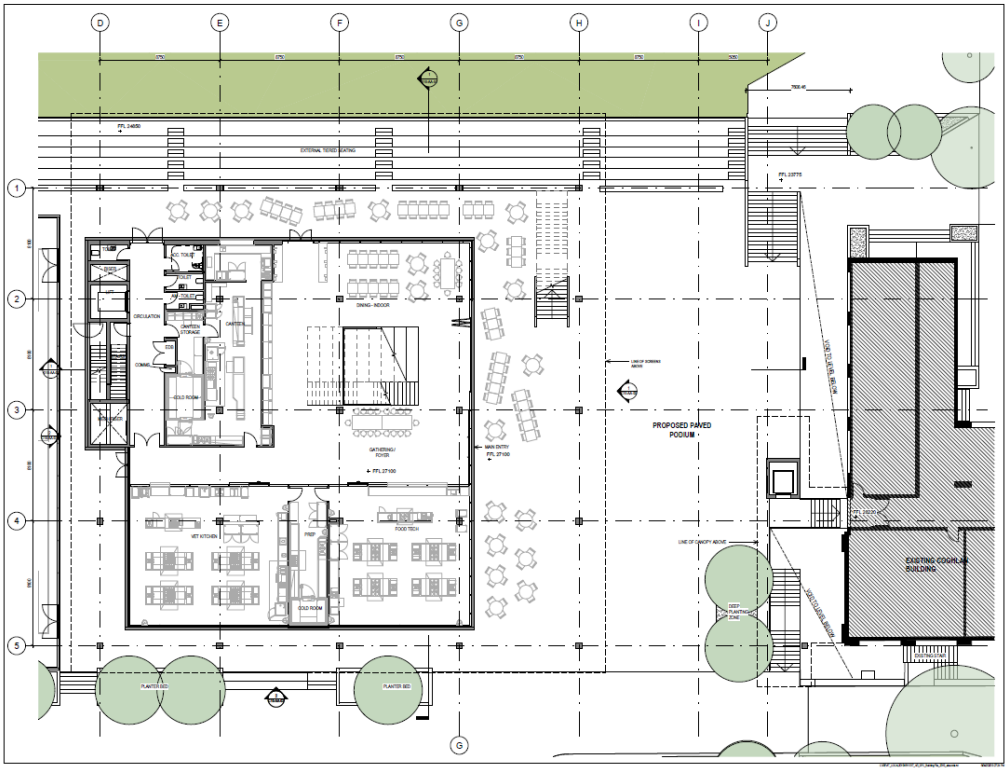


Figure 12 | Floor Plan: GA Plan Ground Floor - Foyer, Dining Café & VET Food Technologies Learning (Level 0 - Sheet 1 of 2) (Source: Applicant's EIS 2020)

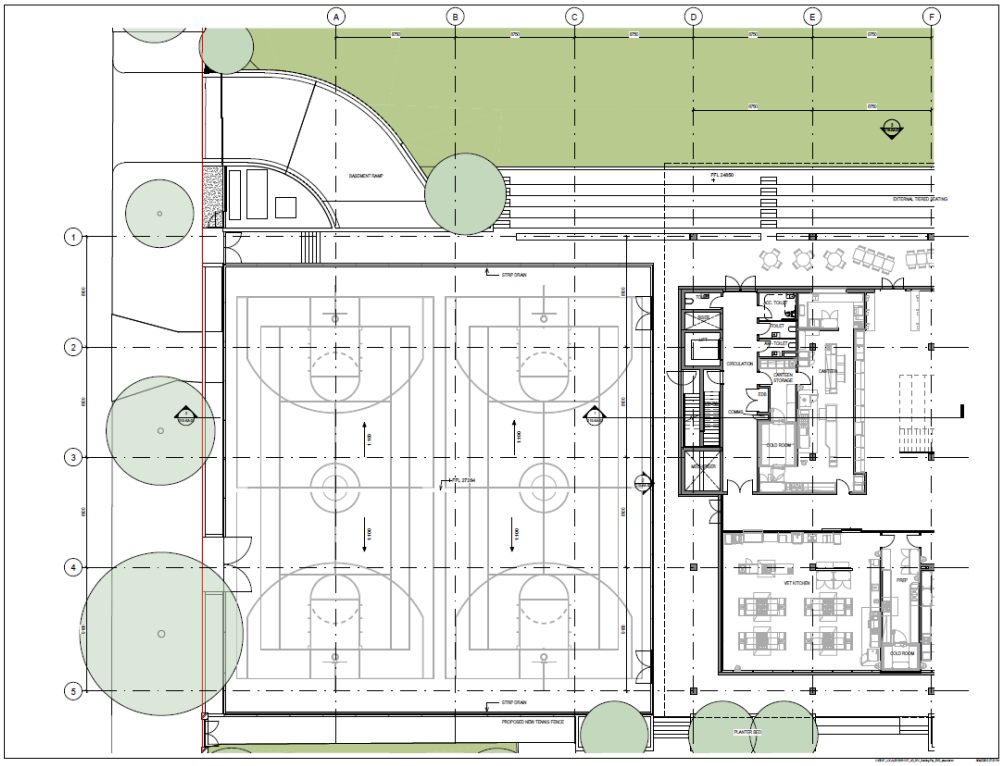


Figure 13 | Floor Plan: GA Plan Ground Level – Outdoor Sports Courts (Level 0 - Sheet 2 of 2) (Source: Applicant's EIS 2020)

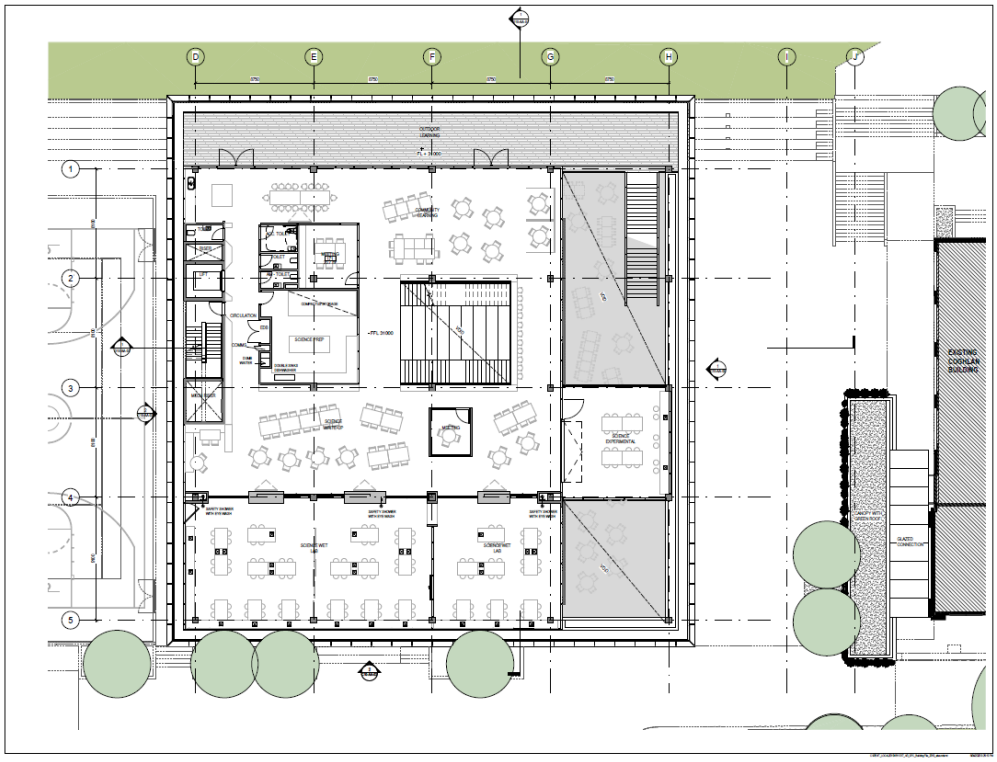


Figure 14 | Floor Plan: GA Plan Level 1 - Science Laboratories & General Learning (Source: Applicant's EIS 2020)

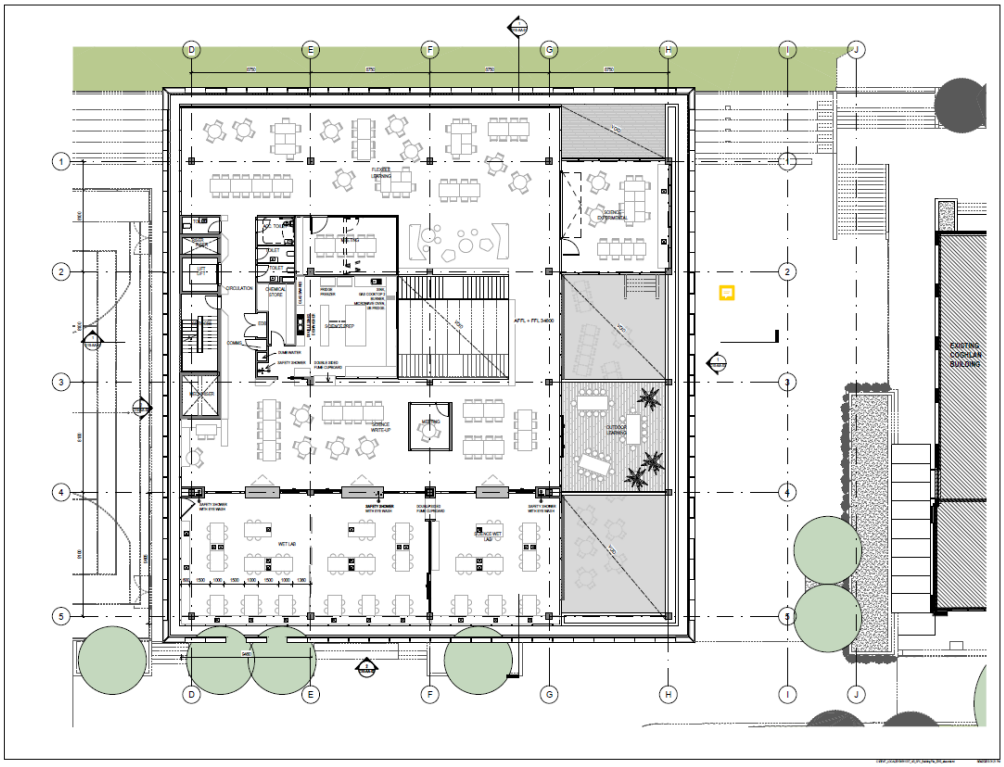


Figure 15 | Floor Plan: GA Plan Level 2 - Science Laboratories & General Learning (Source: Applicant's EIS 2020) (Source: Applicant's EIS 2020)

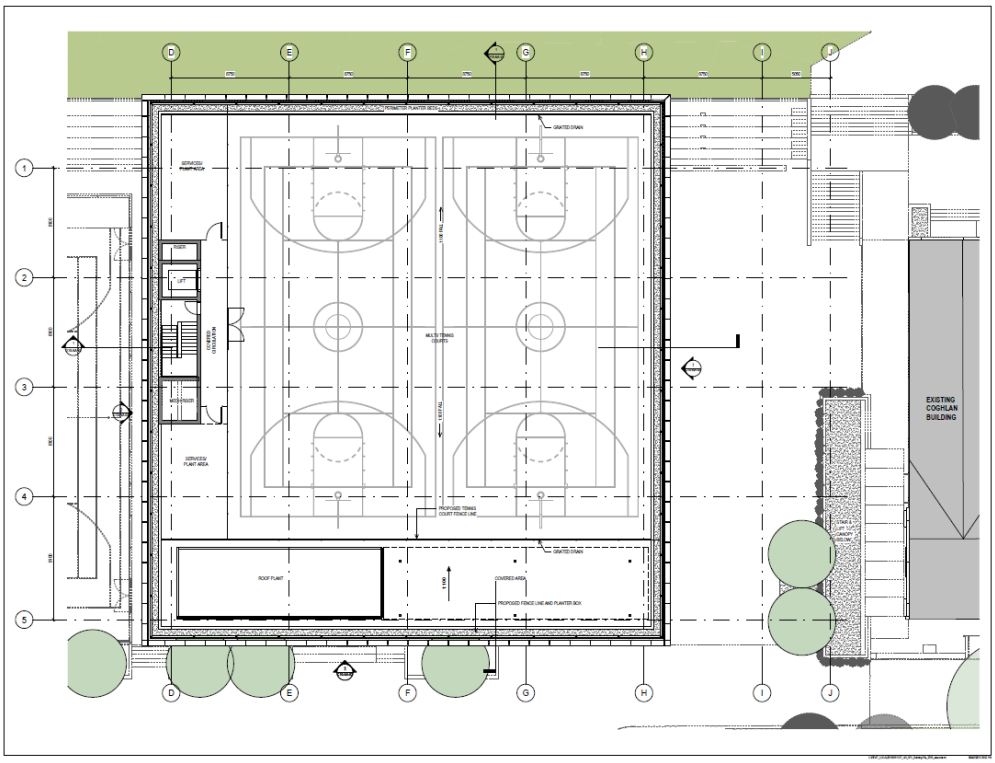


Figure 16 | Floor Plan: GA Roof Sports Courts (Source: Applicant's EIS 2020) (Source: Applicant's EIS 2020)

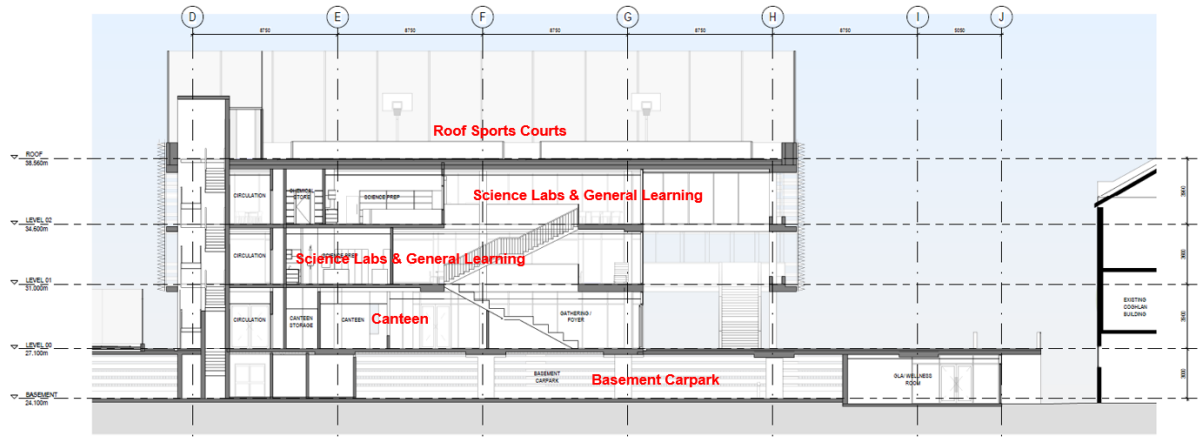


Figure 17 | Long section view south: Proposed facilities location within the Development, including civic space between proposed Building and the Coghlan Building (Source: Applicant's RtS 2020)

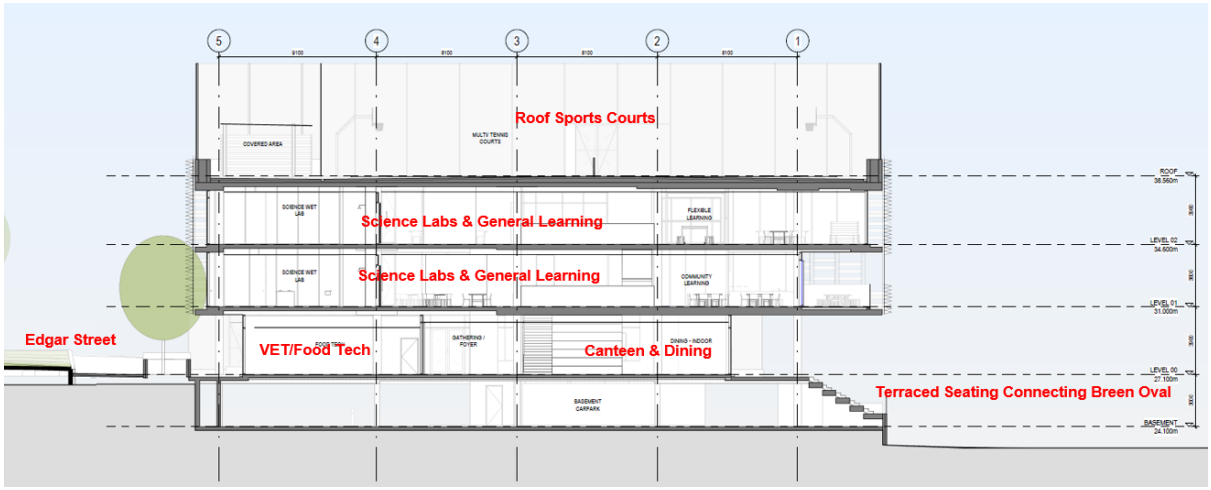


Figure 18 | Short section view west: Proposed facilities location within the Development, including civic space between proposed Building and the Coghlan Building (Source: Applicant's RtS 2020)

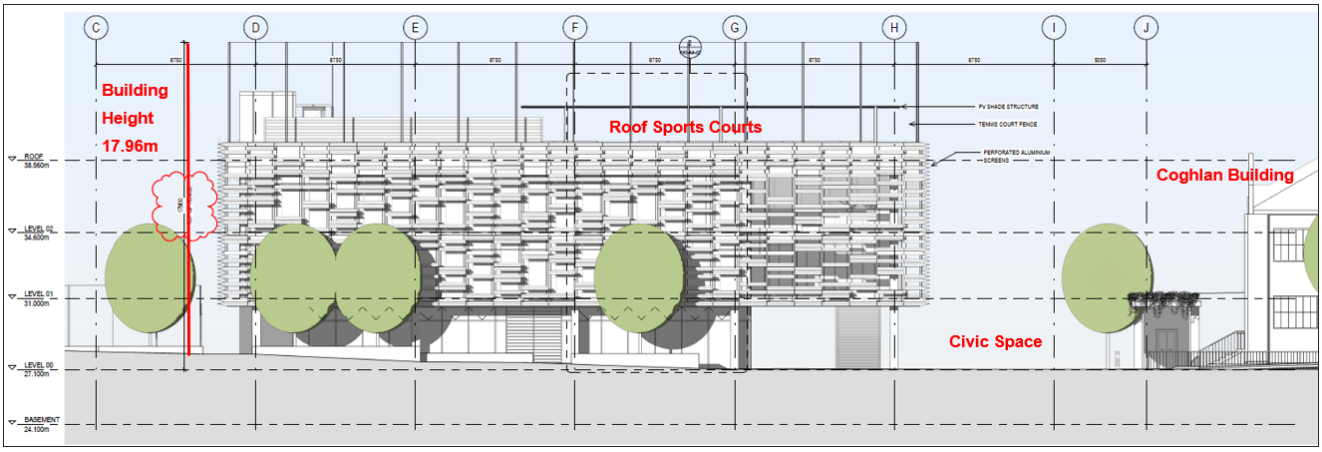


Figure 19 | Elevation view south from Edgar Street (pedestrian street) of the Building (Source: Applicant's RtS 2020)

Figure 20 | View from north of the building showing Breen Oval, terraced seating, sightlines to Brother Hickey building (Source: Applicant's EIS 2020)

2.2 Uses and activities

The proposed Building would be used for sports, teaching, and functions purposes within the College. It is proposed that student numbers are increased from 1436 to 1790 as part of this project, and staff numbers are increased from 140 to 158. The increase in staff and student numbers is proposed from commencement of occupation of the Building gradually until 2030 and includes the staggering of student start and finish times to reduce transport impacts of the additional students. This is supported by the applicant's analysis of traffic, transport and other impacts.

The College proposes to use the Building and sports courts for school and community events outside of existing school hours of operation.

2.3 Construction, staging and timing

The proposed development is proposed to be constructed in one phase across approximately 18 months, including site establishment, demolition, excavation, construction works and fit-out. Works are anticipated to commence in January 2021 and generally follow the indicative staging and construction below in **Table 2**. A detailed Construction Management Plan will be prepared prior to the commencement of construction activities.

Table 2 | Indicative Construction Staging for the Development (Source: Applicant's EIS 2020)

Stage	Start	End	Duration
Site establishment	January 2021	January 2021	2 weeks
Demolition	January 2021	February 2021	1 month
Excavation	February 2021	March 2021	1 month
Construction	March 2021	August 2022	16 months
Fit-out	August 2022	August 2022	1 month

The proposal involves the demolition and reinstatement of an existing boundary wall for construction access purposes, and creation of a construction compound, including construction vehicle parking.

To access the basement carpark on completion of construction, a new entry driveway would be built from Fraser Street. The new driveway requires demolition of a section of brick wall on Fraser Street, and construction of driveway onto the street in the area of the current K&R zone.

3 Strategic context

The Applicant's EIS states that the proposal is designed to enhance the teaching and learning spaces for science, food technology and VET courses, sport science and physical education through the construction of a new fit-for-purpose facility.

The Department is satisfied that the new Science and Learning Building would ensure that a high-quality educational facility is provided in a locality that needs additional educational facilities. This facility would support the curriculum that the College currently offers and provide opportunities for increased retention into Year 11 with the addition of Food Courses (e.g. Hospitality) as VET options.

The Department considers that the proposal is appropriate for the site as it is consistent with the:

- *Greater Sydney Region Plan – A Metropolis of Three Cities*, as it proposes new school facilities to meet the growing needs of Sydney
- *NSW Future Transport Strategy 2056*, as it would support the ongoing provision of a modern educational facility in an accessible location
- Greater Sydney Commission's *Eastern City District Plan*, as it would support the provision of services and social infrastructure to meet the changing needs of the College
- *State Infrastructure Strategy 2018 – 2038 Building the Momentum*, as it proposes investment in the non-government school sector to provide modern learning environments for students and to accommodate infrastructure and facilities sharing with communities
- Strathfield 2040 Local Strategic Planning Statement (March 2020) objective A11, to actively encourage kiss and ride drop off/pick up zones at schools as they are renewed.

The project would also provide direct investment in the region of approximately $22,330,000, which would support 110 construction jobs, and up to 18 additional operational jobs.

4 Statutory Context

4.1 State significance

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as the development has a CIV in excess of $20 million and is for the purpose of alterations or additions to an existing school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

4.2 Consent authority

The Minister for Planning and Public Spaces (the Minister) is the consent authority under section 4.5 of the EP&A Act. In accordance with the Minister's delegation to determine SSD applications, signed on 9 March 2020, the Executive Director, Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection
- there are less than 50 public submissions in the nature of objection
- a political disclosure statement has not been made.

4.3 Permissibility

The College is zoned R2 Low Density Residential under the SLEP 2012, which is identified as a 'prescribed zone' under clause 33 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP). Clause 35(1) of the Education SEPP permits development for the purpose of a school to be development with consent within a prescribed zone. The new Science and Learning Building is located wholly within the R2 zone. The Minister or delegate may therefore determine the carrying out of the development.

4.4 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the SSD approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent.

4.5 Mandatory Matters for Consideration

4.5.1 Environmental planning instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is relevant to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been considered in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

4.5.2 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent / approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 3.**

Table 3 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposal involves the construction of a new science education centre and recreational facilities in the College. The development would not negatively impact the economic welfare of the community nor the natural environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development (ESD), see **Section 4.5.3**.
(c) to promote the orderly and economic use and development of land,	The proposal would be an orderly and economic use and development of the land as it would provide for the redevelopment of an educational facility on a site owned by the Applicant.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposed development would not impact on the natural environment or the conservation of threatened species or habitats. The impacts of proposed tree removal are discussed in **Section 6**.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal has been designed to complement the existing building of heritage significance within the College, see **Section 6**. No Aboriginal objects, sites, or areas of archaeological sensitivity were identified within the site or would be impacted by the proposal. Heritage NSW reviewed the EIS Heritage Impact Statement, and Historical Archaeological Assessment, and advised the potential for archaeological finds was low and did not recommend archaeological monitoring as a condition of approval. The implementation of an *Archaeological Chance Find Procedure,* has been recommended as a condition of consent.
(g) to promote good design and amenity of the built environment,	The proposal promotes good design and amenity, see **Section 6.1**.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal would promote proper construction and maintenance of the building, subject to recommended conditions of consent.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal, which included consultation with Strathfield Council and other public authorities and consideration of their responses (**Section 5**).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in **Section 5**, which included notifying adjoining landowners and occupiers as well as displaying the proposal on the Department's website during the exhibition period.

4.5.3 Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The development proposes ESD initiatives and sustainability measures, including the:

- use of efficient materials, including high performance glazing and insulation, to reduce heat flow and consequent heat loss in winter and heat gain in summer.
- passive design of the building to maximise use of natural light and shading, to provide a high level of thermal comfort.
- use of natural ventilation and adoption of efficient mechanical ventilation systems, including automated louvres to provide pre-cooling of the building at night time when external conditions are suitable (night purge), whilst also providing an option to naturally ventilate the space during the day via manual control.
- installation of energy efficient LED lighting, with daytime dimming.
- use of water conservation measures, including highly efficient water fittings and fixtures.

The Applicant — while not seeking a Green Star certification — is targeting the ESD performance of the project against the benchmarked of a 4 Star Green Design & As Built v1.3 rating, in accordance the suggested 4-Star Green Star rating in the Educational Facilities Standards and Guidelines (NSW Department of Education).

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development.

To ensure a 4-Star Green Star equivalent rating is achieved via the 4 Star Green Design & As Built v1.3 rating, the Department has recommended a condition requiring the development be designed and constructed to meet this benchmark. An ESD statement and evidence demonstrating compliance with the benchmark is to be prepared by a suitably qualified person and submitted to the Accredited Certifier. The Department is satisfied that subject to the implementation of this condition, the proposed development is consistent with ESD principles as described in Section 6.4 and Appendix H of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

4.5.4 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

4.5.5 Planning Secretary's Environmental Assessment Requirements

The EIS is compliant with the Planning Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

4.5.6 Section 4.15(1) matters for consideration

The matters for consideration under section 4.15(1) of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act have been addressed in **Table 4**.

Table 4 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of relevant EPIs is provided in **Appendix B**.
(a)(ii) any proposed instrument	Satisfactorily complies. The Department's consideration of relevant draft EPIs is provided in **Appendix B**.
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations Refer Division 8 of the EP&A Regulation	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The impacts of the proposed development have been appropriately mitigated or conditioned as discussed in **Section 6**.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in **Sections 3, 4** and **6**.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period as discussed in **Sections 5** and **6**.
(e) the public interest	This project is considered to be in the public interest as discussed in **Section 6**.

4.6 Biodiversity Development Assessment Report

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are "to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values".

The proposed works involve the construction of a building by demolishing an existing structure in an urban area and are not likely to have a significant impact on biodiversity values of the locality. The Environment, Energy and Science Group (EESG) of the Department determined that the application is not required to be accompanied by a BDAR in accordance with the BC Act and consequently, the requirement to lodge a BDAR with the application was also formally waived by the Planning Secretary on 9 April 2020 under section 7.9 of the BC Act.

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 2 June 2020 until 29 June 2020 (28 days). The application was exhibited on the Department's website.

The Department notified adjoining landholders and occupiers as well as relevant state and local government authorities in writing. Department representatives visited the site on 5 November 2020 to provide an informed assessment of the development.

The Department has considered comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and in recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of submissions

During exhibition, the Department received nine submissions - five from public authorities and four from the public (two comments and two objections). Correspondence was received by an additional community member outside exhibition and has been noted by the Department. A summary of the issues raised in the submissions is provided at **Section 5.3** and **Section 5.4** and copies of the submissions may be viewed at **Appendix A**.

5.3 Summary of public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 5**.

Table 5 | Summary of public authority submissions

Heritage NSW, Department of Premier and Cabinet (Heritage NSW)
Heritage NSW identified that the subject site: • is not listed on the State Heritage Register and does not impact any potential state significant heritage items. • is not in the immediate vicinity of any State Heritage Register items. • does not contain any known historical archaeological deposits, and the chance of finding any archaeological deposits or objects is low-moderate. The proposal does not warrant conditions mandating the appointment and supervision of a project archaeologist. Consequently, Heritage NSW raised no concerns regarding the proposal, and recommended that an *Archaeological Chance Find Procedure* condition is implemented.

Environment Energy and Science Group (EESG)

- EESG raised no specific concerns regarding the development.
- However, EESG indicated that if the development was to be approved that the recommendations of the Aboriginal Cultural Heritage Assessment Report be included in the conditions of consent, that during construction activities involving ground surface disturbance and excavation works an *Archaeological Chance Find Procedure* be put in place. Protocols for the unanticipated discovery of Aboriginal objects and suspected human remains are to be adopted as condition of consent.
- EESG also noted that a Biodiversity Development Assessment Report Waiver was approved for the proposal.
- To help ensure the safety of students and members of the school community, EESG recommended the proponent develop a site Emergency Response Plan (ERP) in consultation with the NSW SES and Council to manage any potential flood risk under these major events. The ERP is to include a provision for safety signs in relation to access streets and basement carpark.

Transport for NSW (TfNSW)

TfNSW commented that:

- further consideration of active transport requirements was required, and that a Green Travel Plan (GTP) was required to be prepared in consultation with TfNSW.
- future revisions of the GTP should consider being more ambitious in reducing the vehicle mode share of staff.

NSW Environment Protection Authority (EPA)

- No comments.

The Government Architect NSW (GANSW)

- GANSW advised the project did not require review through the State Design Review Panel process. Further additional comments sought on the applicants RtS alteration of building height was confirmed as satisfactory to GANSW.

5.4 Summary of public submissions

Four public submissions were received within the relevant submission period: two comments and two objections. The main issues raised included:

- traffic congestion, parking and road impacts (including traffic queuing)
- increases in heavy vehicle movements associated with construction
- communication and implementation of a Construction Management Plan to manage traffic impacts
- visual amenity and privacy impacts
- that proposed increases in student capacity is not conducive to better learning outcomes.

5.5 Response to submissions

Following the exhibition of the EIS the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 14 October 2020, the Applicant provided a RtS report (**Appendix A**). As part of the RtS, the Applicant amended the design of the development, including:

- increased height of building to 17.96m by increasing the height of fences on the roof of the building for additional safety and to reduce the risk of balls leaving the rooftop sports courts.
- revised Green Travel Plan (GTP), prepared in accordance with the TIA, to encourage cycling and discourage private vehicle use. Improvements to the GTP include additional bicycle parking spaces, GTP mode shift target of 8-10% away from car use, provision of a transport access guide, and clarifying new end of trip facilities were not required as part of the proposal.
- minor amendments to the design of the Building in response to alterations in fence height.
- extension of proposed Kiss & Ride zone on Shortland Avenue from 21m to 108 metres, to create 15 parking bays for school pick-up / drop off to alleviate traffic congestion.
- Phase 2 Detailed Site Investigation assessing potential for land contamination.
- Construction Management Plan (CMP), and preliminary Construction Traffic Management Plan (CTMP) detailing management of construction in school operation.
- Historical Archaeological Assessment (HAA) assessing non-Aboriginal archaeological potential.
- Details of student increase staging, so that a new stream of 30 students would be added per year until there are seven streams in each year group.

The RtS was made publicly available on the Department's website and referred to the relevant public authorities. The Department received an additional four submissions on the RtS.

A summary of the public authority submissions on the RtS is provided in **Table 6**.

Table 6 | Summary of public authority submissions to the RtS

TfNSW
TfNSW identified that the RtS had addressed the comments provided by TfNSW, and recommended future revisions of the GTP contain more ambitious targets for staff transport modes.
Council
Council did not provide a submission on the proposal EIS during the exhibition period. Council responded to a specific request for advice outside of the submission process on the matter of development contributions and advised the Department that waiving the applicable development contribution levy was not acceptable to Council.
EPA
EPA stated there were no further comments to provide and did not have concerns regarding the proposal.

GANSW
GANSW reiterated that the proposal remained consistent with initial consultation and designs, and did not raise any concerns with the proposal.

Following completion of the exhibition, an additional letter was received from a community member and has been noted by the Department. Key issues raised in this letter were traffic, operational noise, visual privacy and amenity impacts, which are addressed in **Section 6**.

6 Assessment

The Department has considered the EIS, the issues raised in key submissions, and the Applicant's RtS in its assessment. The Department considers the key issues are:

- historic heritage
- built form, urban design and amenity
- traffic and transport
- noise.

These issues are discussed in the following sections of this report. Other issues considered during the assessment are discussed at **Section 6.4.**

6.1 Built form, urban design and amenity

6.1.1 Historic heritage, built form and urban design

The Applicant's EIS was supported by a Statement of Heritage Impact (HIS), which indicates that the site is not subject to a Conservation Management Plan under the NSW *Heritage Act 1977*, but identified the location of heritage items and heritage conservation areas in the vicinity of the site, shown in **Figure 21**.

As discussed in **Section 1**, the College campus contains the Brother Hickey Building, a heritage item of local significance in Schedule 5 of the SLEP 2012 Part 1 (item I132). Other nearby local heritage items listed in the SLEP 2012 are:

- Two Heritage Conservation Areas adjacent to the campus: Merley Road Conservation Area and Marion Street Conservation Area, both of Inter-war Bungalow style group, SLEP 2012 item numbers 192 and 182 respectively (the HCAs).
- The Australian Catholic University Strathfield Campus 25 Barker Rd (the ACU site), including former "Mount Royal" – various buildings and landscapes, SLEP 2012 item number 25. This site is also listed as item no. 01965 'the Mount St Mary Campus of the Australian Catholic University', in the State Heritage Register under the *Heritage Act 1977*.
- 192 "Siorona" – Federation Queen Anne style house 55 Merley Road, SLEP 2012 item

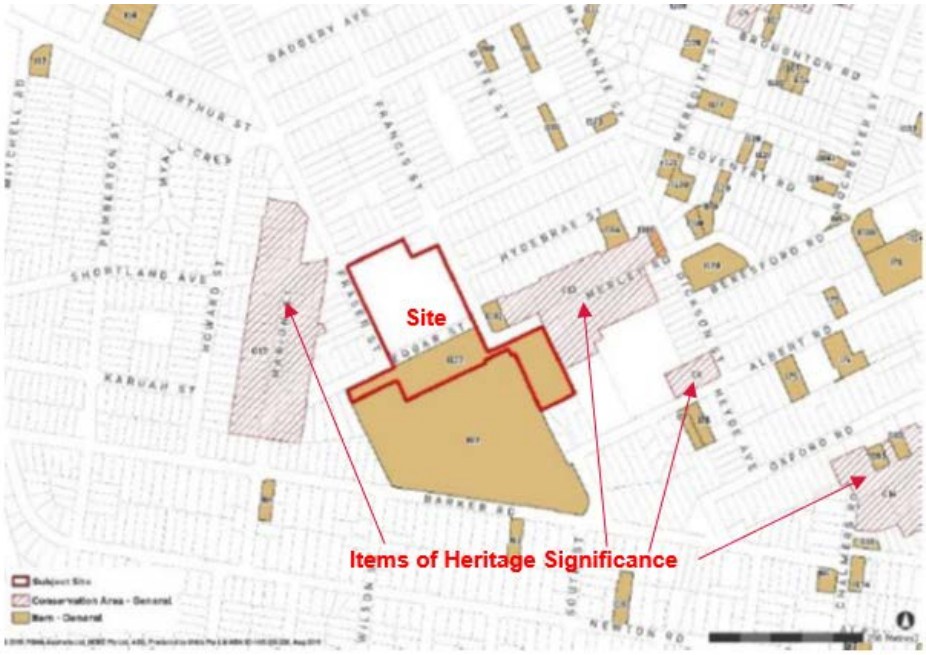


Figure 21 | Location of heritage items in the context of the proposed development (Base Source: Applicant's EIS 2020).

The Building site is centrally located within the College, and the surrounding built form is existing College buildings and landscaped part of Edgar Street (**Figure 22**). The overall College campus adjoins main street frontages — Fraser Street to the west and Shortland Avenue to the north — with streetscapes containing predominantly low-density residences not part of the HCAs.

The site directly adjoins the ACU Campus to the south, and Marie Bashir Primary school and OSH Care Centre also adjoin the College to the south-east. The built form at these educational institutions is similar to the College Campus, however, those sites are not visible from the proposed Building, as they are obscured by the existing buildings at the southern part of the St Patrick's campus.

Heritage NSW advice to the Department noted the State heritage significance of the ACU campus, and advised that existing buildings would provide sufficient visual separation between the ACU campus and the new Building. As such, heritage impacts of the proposal focused on the potential for impacts to the Brother Hickey building. Heritage NSW did not raise any concerns regarding potential impacts upon the Brother Hickey Building.

The Department notes Council also did not raise any concerns regarding potential heritage impacts on any locally listed items.

Figure 22 | Landscape and character of the existing landscape Edgar Street, Coghlan Building, Breen Oval (Source: Applicant's EIS 2020)

The HIS reviewed the impacts of the proposed Building and concluded that the:

- proposed development would have minimal visual impact on the surrounding heritage context of St Patrick's College.
- proposal retains existing significant primary view corridors from within the school grounds to the Brother Hickey Building, as well as enhanced secondary views from Breen Oval and Shortland Avenue.
- proposed development considers and respects the scale, bulk and siting of the Brother Hickey Building, to allow it to continue as an architectural feature and cultural focal point of the campus.
- new Building provides an architecturally interesting counterpoint to the older buildings on the campus, including the Brother Hickey Building, and illustrates the continuing historical development of the College.
- heritage items are not visible from the site, except for the Brother Hickey Building which is directly adjacent to the Building, and which has been adequately considered in the design of the proposal as shown in **Figure 21**.

Heritage NSW also requested the Applicant assess the non-Aboriginal archaeological potential and significance of the site, in accordance with the SEARs. The Applicant completed this assessment in the RtS, which concluded the site had low potential for non-Aboriginal archaeological finds. Heritage

NSW was satisfied with the conclusions of this assessment, and recommended conditions of consent ensure implementation of an unexpected finds procedure.

The Department is satisfied that the Building has been sited and designed to maintain a visual connection from the Brother Hickey building through the Breen Oval via the newly created civic space. The Building has been designed as a simple rectangular box, with flexible internal spaces to accommodate future changes to the model of teaching by internal rearrangement and reconfigured lightweight infills across a rectangular grid. Positioning of the Building aligns the covered colonnade to the east of the Building with the existing pedestrian connection between the Hickey and Hanrahan buildings, linking to the south of the campus and on towards the ACU playing fields.

The existing void to the west of the Coghlan building and between the sports courts is widened by the design, and accessed through a new stair and lift, while maintaining adequate separation and alignment to the Coghlan building. This design also allows potential for future improvements in accessibility to the lower levels of the Coghlan building.

Illustrations of the interface between the current sports courts at the site are compared to the proposed design in **Figure 23** and **Figure 24**. The Department is satisfied with the new interfaces created by the new Building, civic space and amended cross-site access, and that potential impacts on the curtilage of the Brother Hickey Building are acceptable.

Overall, the Department has reviewed the bulk and scale of the proposed Building and is satisfied that the development would have negligible detrimental visual impacts on the heritage items.

Figure 23 | The Building as viewed from the Brother Hickey Building (Source: Applicant's EIS 2020)

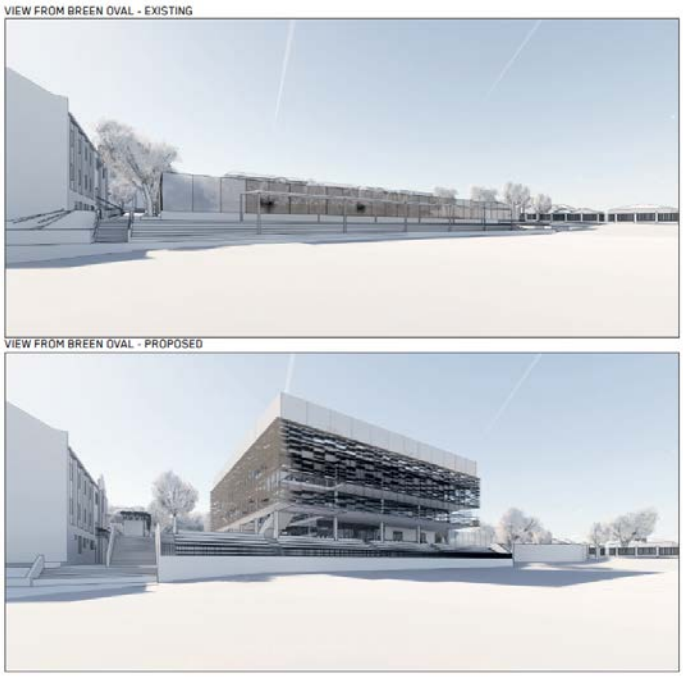


Figure 24 | The Building as viewed from Breen Oval showing sightlines to the Brother Hickey Building (Source: Applicant's EIS 2020)

6.1.2 Urban design, landscaping and tree impacts

The EIS included an Architectural Design Report (Appendix E) addressing aspects of urban design, landscaping, and tree impacts of the proposal, and concluded that the:

- site layout and design ties together and connects the existing landscaped environment of Edgar Street and Breen Oval, considering the natural and built landscape to achieve balance.
- existing built form would be separated from the contrast of the proposed Building by the creation of a civic space that articulates and opens key view lines to the Brother Hickey Building, and also provides daylight and breeze paths across the site (**Figure 25**).

Figure 25 | Visual impact analysis identifying view lines to connect Breen Oval and Brother Hickey Building maintained by the proposal (Source: Applicant's EIS 2020)

In its review of the proposal, GANSW reviewed the EIS and RtS and was satisfied that the development was appropriately designed, and did not express concerns about the project design, bulk and scale of the Building. The proposal was not required to go through the State Design Review Panel process.

Council did not raise any specific concerns regarding the design of the Building or its relationship with the heritage building on site. The Department considered the design of the Building against the Design Quality Principles in Schedule 4 of the Education SEPP and notes that the:

- façade treatment is integrated into the design of the Building and visually contributes to the campus as a contemporary structure, which emphasises heritage through materials selected to contrast to existing brick buildings.
- proposed Building has been designed to make the best use of the sun through architectural facade treatment, depth of overhangs and balconies for lighting and heating.
- perimeter planting surrounds the rooftop fencing, to soften the crown of the building while providing cooling and shading.
- design offers practical solutions for various functions of the school, while integrating with the surrounding structures and has appropriately considered local heritage items in the vicinity.
- natural topography and stepping of the site are utilised to provide maximum GFA for the school, while reducing the perceived height and scale of the Building from Edgar Street, and responding to the landscape around the development.
- design of the Building incorporates sports courts and integrates the development with Breen Oval, to augment benefits from outdoor learning and play space.
- roof is surrounded by a planted stainless-steel mesh fence to screen plant from the outside rooftop area.

The Department concludes the contemporary built form, landscaping and urban design, along with the selected external colours and finishes, would provide a visually appealing and functional development which would positively contribute to the existing and future character of the locality and complement the existing buildings and local heritage building on campus. The Department has noted comments from GANSW in reaching this conclusion. The Department assessed ESD initiatives in **Section 4.5.3** as satisfactory.

The Applicant's EIS was supported by an Arborist Report, which concluded that 10 trees of low retention value, and four trees of medium retention value, would need to be removed. EESG raised no concerns regarding the removal of these trees. Deep soil planting zones have been integrated into the Building design at podium level (ground floor) to allow for some significant trees to be planted to provide shade and to frame views of the Brother Hickey Building and Edgar Street.

The Department is satisfied the Applicant's landscape and architectural plans make adequate provision for the replacement of removed trees, the long-term provision of significant trees, green space and considers the cooling benefits of trees in reducing the urban heat island effects in alignment with ESD principles of urban design. The Department has also placed conditions of consent on the Development that require tree protection works for trees that are not proposed to be removed, to appropriately mitigate the risk of damage to these trees during construction works.

6.1.3 Building height, scale and siting

The site is subject to a maximum building height of 9.5m under the SDCP 2005. The Applicant originally proposed a building height of 15.46m. However, to reduce the ability for balls to inadvertently leave the rooftop sports courts, the Applicant now proposes to increase the mesh fencing around the rooftop, bringing the building height to 17.96m from podium level on Edgar Street after RtS refinement (22.01m as measured from Breen Oval). The height of the building roof, the playing surface of the rooftop sports courts, is unchanged.

The Applicant considered different options for building massing in the EIS, and set the massing of the building back from the site boundary to reduce and mitigate acoustic noise, wind, visual privacy, and overshadowing amenity impacts on neighbouring sites. This would also reduce the impacts of road noise on the educational environment of the Building.

The Department recognises the height of the Building exceeds the maximum building height under the SLEP 2012. However, under clause 42 of the Education SEPP, compliance with building height controls is not required. Despite this, the Applicant provided extensive consideration to this development standard, while ensuring that the Building met the long-term requirements of the College and responds to the existing context of built form and landscape.

The Department considers non-compliance with the height control is appropriate as the:

- Building has been designed to incorporate basement levels which are obscured by spectator seating when viewed from Breen Oval or into the campus from Fraser Street, which reduces the overall bulk of the development.
- rooftop sports court fences are above the existing building heights, but would not add to the bulk and scale of the Building due to screening fences constructed from planted mesh.
- the proposed height of the Building is acceptable in the context of existing building heights on campus, some of which exceed the SDCP 2005 height limits (e.g. Hanrahan Building at 16.5m).
- increased building height, refined by the RtS, relates to the rooftop-screen and mesh as a design feature to improve the performance of the sports courts located on the roof. The increased fence heights will improve public safety. As this building component is a mesh, and light would permeate the structure, overshadowing would not be significantly increased by increasing the height of mesh fences.

Overall, the Department is satisfied that the bulk and scale of the building has been reasonably considered by the Applicant in the context of the surrounding developments, and the heritage significance of the Brother Hickey Building, as well as its landscaped settings. The proposed height, scale and massing of the Building is consistent with existing buildings on campus, and does not significantly detract from curtilage of the surrounding heritage listed building. The Department concludes the height and scale of the proposed Building is acceptable because the:

- the design uses the natural topography of the site to provide maximum usable GFA for the Building while reducing the perceived height and scale from Edgar Street.
- design consideration has been given to the siting of the Building in the context of existing buildings and positioned to create a visual connection from the Brother Hickey building through to Breen Oval.

- positioning of the building alignment enhances existing pedestrian connections between the Brother Hickey and Hanrahan buildings linking to the south of the campus and on towards the ACU playing fields.
- set back from the Coghlan building creates the new civic space.
- Building is adequately set back from the street frontages with landscaping to soften the edges of the site and reduce its visual bulk.
- basement level, and ground floor of the Building, are designed to align with and provide accessible connections to the Edgar Street via a lift and two stairs.
- proposed scale and height of the Building are required to maximise internal floor space, incorporate the required ceiling heights and provide capacity to cater for the educational / recreational needs of the College in the future, while minimising the building coverage of the site to allow the provision of sufficient outdoor play areas.

Setbacks

The position of the building and significant setbacks, and sports courts between the Building and Fraser Street, mean the Building has no relationship with the nearby residential development. The Edgar Street frontage is consolidated within the Campus and acts as a pedestrian link through the centre of the Campus. Setbacks for the proposal are not likely to alter the character of the existing Fraser Street frontage or contribute to significant overshadowing of the street or footpath areas.

6.1.4 Environmental amenity

Overshadowing

SLEP requires development does not overshadow adjoining and nearby dwellings so that less than 4 hours of solar access is received to the windows of habitable rooms and to the majority of private open space, between the hours of 9am and 3pm at the winter solstice.

The Applicant's EIS considered overshadowing and demonstrates this SLEP requirement is met. As discussed in **Section 6.1.3**, the Building would be significantly set back from Fraser Street, and would result in no additional overshadowing to any nearby dwellings; all overshadowing is restricted to the school site. The EIS included shadow diagrams for the initial building height (**Figure 26**). The Building height was increased in the RtS by extending the roof fencing heights of stainless-steel and planted mesh. Due to significant setbacks this alteration to the height of the Building would not significantly alter the overshadowing modelled and is acceptable.

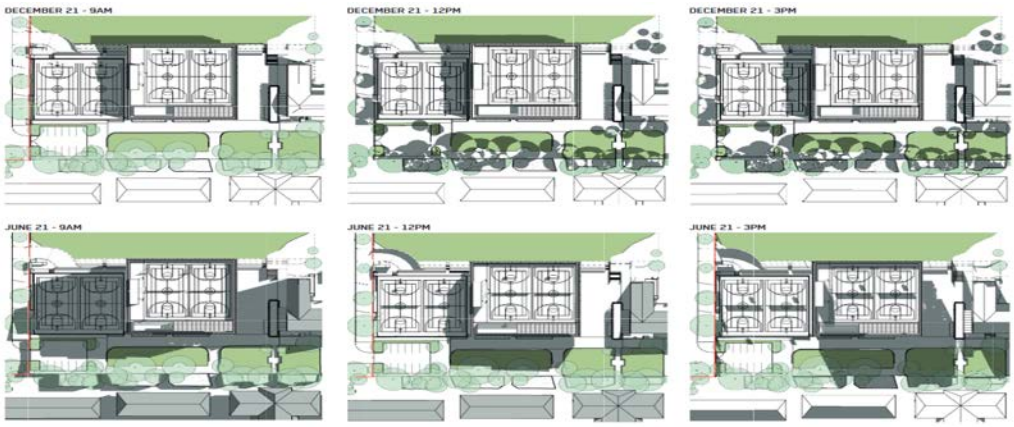


Figure 26 | Building Shadow diagrams 9am – 3pm (Source: Applicant's RtS 2020)

The shadow diagrams in **Figure 26** identify that the proposed landscaped areas and Coghlan Building are subject to some level of overshadowing between 9am to 12pm during the winter solstice. This is acceptable as this overshadowing would occur for a short period during the year, for a short duration, and the impact is born by the Applicant.

The civic space would receive three hours of solar access between 12pm - 3pm during the winter solstice. The Department is satisfied that the level of solar access to the landscaped courtyard in the worst-case scenario is acceptable.

Visual privacy

The Building faces onto Breen Oval, and is separated from the nearest dwelling by approximately 60m. The Applicant's EIS indicated that the distance, buffer trees and roof top screening would provide adequate separation and screening to maintain privacy in adjacent residential dwellings, and for students using the rooftop sports courts.

The Department is satisfied the proposal has acceptable amenity impacts, as surrounding residences are sufficiently separated from the proposed Building to ensure visual privacy is maintained, and landscaping would adequately screen views of the new Building.

6.2 Noise and vibration

The Applicant's EIS, as amended by the RtS, was supported by a Noise Impact Assessment (NIA) including the assessment of vibration. The NIA identified that the nearest sensitive receivers are residences on Fraser Street to the west of the Building, and assessed construction and operational noise for the application.

6.2.1 Construction noise and vibration

The Interim Construction Noise Guideline (ICNG) establishes construction noise management levels (NMLs) for surrounding sensitive residential receivers and establishes standard construction hours of 7am to 6pm on Mondays to Fridays and 8am to 1pm on Saturdays.

The proposal is surrounded by residential receivers, and the existing noise environment for the receiver areas is traffic on nearby roads, and noise associated with residential land use activity. Existing baseline noise levels were quantified from monitoring results. Noise management levels (NMLs) that trigger different management responses for noise affected or highly noise affected receivers were established for standard construction hours and are listed in **Table 7**.

Table 7 | Noise Assessment Criteria Summary, 75dB(A) L_{eq} (15min) (Source: Applicant's EIS 2020))

Assessment Location	Standard Construction Hours		Outside
	Noise Affected	Highly Noise Affected	Standard Hours
Residential Dev'p	51	75	48/43 #
School classrooms (internal)	45	65	N/A
School classrooms (external)	55	75	N/A

Evening/night.

Construction noise levels were modelled at the identified sensitive receivers, based on works within standard construction hours, with no construction proposed on Sundays or public holidays. The

Department notes that, while NMLs were established for work outside of standard construction hours, no such works are proposed.

The NIA concluded that modelled noise from construction works for plant operating at full power would potentially exceed the NMLs by up to 3dBA (during demolition works) for nearest sensitive receivers at 20m, for the plant items of excavator with jackhammer, compactor, concrete agitator, concrete pump and pile boring rig construction works. For the residential receivers closer than 50m to construction plant, some construction activities may exceed the criteria, particularly excavation and placing of piles. Noise levels above the highly noise affected NML threshold of 75dB(A) are likely to occur on occasion at residences 20m away from construction, including 5dB(A) exceedances during excavation using a jackhammer; 3dB(A) for pile boring rig and concrete agitator use; for 2dB(A) compactor use; and 1dB(A) using a concrete pump.

The NIA also assessed the potential for vibration on heritage items on and around the site and nearby residences, and concluded that significant impacts are not likely to occur during construction. The Applicant has proposed to manage these impacts through ongoing attended monitoring at and around the site in accordance with relevant EPA guidelines as part of the construction process. The EPA guideline, *Assessing Vibration: A Technical Guideline (2006)* values were adopted by the Applicant as assessment criteria for personal comfort and amenity, as in Error! Reference source not found..

Table 8 | Vibration Assessment Criteria Summary, Acceptable Vibration Dose Values (mm/s) (Source: Applicant's EIS 2020)

Location	Day (7am-10pm)		Night (10pm-7am)	
	Preferred	Maximum	Preferred	Maximum
Critical areas #	0.10	0.20	0.10	0.20
Residences	0.20	0.40	0.13	0.26
Offices	0.40	0.80	0.40	0.80
Workshops	0.80	1.60	0.80	1.60

Hospital operating theatres, precision laboratories, etc.

The NIA identified that ground vibration may be noticeable at the nearest residential receivers. The NIA provided predictions of vibration predictions at 20m (**Table 9**) noting most works would be greater than 20m from receivers.

Table 9 | NIA Average Maximum Ground Vibration Measurement Results mm/s (Peak) (Source: Applicant's EIS 2020)

Ground Type	Measured Distance to Vibration mm/sec	Minimum 20m to Receiver mm/sec
Excavator on clay soil	80m, 0.012	0.14
Excavator on dry alluvial soil	15m, 0.23	0.16
Excavator on wet alluvial soil	10m, 0.52	0.28
Road truck on potholes	10m, 0.15-2.7	0.1-1.2
Compactor on clay	40m, 0.20	0.20

Given the potential exceedances of the NMLs, and potential for vibration to be noticeable at nearby receivers, the Applicant considered alternative construction methods to reduce noise and vibration impacts. However, the Department accepts the Applicant's conclusion that alternative construction methods are not possible for certain works, such as pile driving. As such, to minimise adverse impacts due to exceedance of the NML, the NIA recommended the preparation of a detailed

Construction Noise and Vibration Management Plan (CNVMP) incorporating mitigation measures such as:

- selection of quietest feasible construction equipment.
- localised treatment such as barriers around the construction equipment.
- informative prior notification of nearby residents ahead of works.
- programming noisy activities (such as earthworks) outside critical times, such as school hours or term.
- attended noise and vibration monitoring at the commencement of each construction activity that has the potential to produce excessive noise and/or vibration.
- measures to be implemented in the response to complaints, such as:
    - use of acoustic enclosures, curtains, or screens directly adjacent to stationary noise sources;
    - use of residential grade exhaust silencers and shielding around motors.

The Department agrees with recommendations in the NIA and has recommended conditions requiring the development and implementation of a CNVMP. The CNVMP is to be developed in consultation with the community and affected sensitive receivers and is to include strategies to manage the impacts of construction work that generates significant noise or vibration. The Department notes the Applicant's EIS identified demolition activities expected to generate the largest noise impacts and proposes to schedule this work during school breaks to minimise impacts upon students.

The Department has recommended a condition to carry out pre and post dilapidation surveys, to assess any impact of vibration caused during construction. The Department is satisfied that implementation of these conditions would appropriately manage potential vibration impacts.

The Department considers that with the implementation of the CNVMP, construction activities would not generate an unreasonable noise impact on identified sensitive receivers surrounding the site, or cause risk of damage from vibration to heritage items. The potential noise and vibration criteria exceedances identified in the NIA can be mitigated with the mitigation and management measures.

6.2.2 Operational noise and vibration

The NIA considered the operational impacts of the Building, including use of the rooftop sports courts.

The NIA assessed the noise performance of the proposal at adjoining residences against operational noise management criteria of day 46dB (7am to 6pm), evening 43dB (6pm to 10pm), and night 38dB (10pm to 7am) (LAeq,15 Minute). The Applicant's modelling concluded that use of the rooftop sports courts noise, associated with site activities and equipment and use of the courts, would be compliant with these criteria during all time periods at all nearby residential receivers, provided at-source controls detailed in the NIA are implemented. The NIA recommended:

- limiting noise input of the school bell and public announcement system, or alternatively investigating shielded positions for speakers.
- selecting less noisy mechanical plant and equipment, and installation of enclosures for air conditioning or other plant that would exceed maximum prescribed sound power levels.
- llimiting usage of rooftop sports courts to the day and evening (9am to 9pm).

The Department notes that implementation of at-source acoustic treatments and noise controls in accordance with the EIS will ensure that noise impacts of the development are within acceptable levels, and the operation of the Building is not likely to have a significant impact on surrounding land users. The Department is satisfied that the operation of the proposal would not detract from the acoustic amenity of nearby residents.

6.3 Traffic and Transport

A Transport Impact Assessment (TIA) was included with the EIS. In responding to TfNSW comments on the EIS on managing traffic, parking and road impacts, the Applicant's RtS included an Addendum Traffic Statement, a Preliminary Construction Traffic Management Plan (CTMP), and revised Green Travel Plan (GTP) to further assess impacts resulting from an increase in student numbers, construction traffic, operational traffic, and targeted mode shift targets from vehicle based to active transport. Assessment of the potential traffic, parking and road impacts of construction and operation phases is discussed in detail below.

6.3.1 Construction traffic and parking

The Department raised concerns about construction worker parking, and requested further details to clarify parking arrangements. The Applicant submitted a preliminary construction traffic management plan (CTMP), outlining measures to mitigate detrimental impacts to local roads, and ensure safety of road users and pedestrians during construction. The CTMP provided details of construction vehicle movement routes, parking and access arrangements, pedestrian management and measures to avoid and mitigate potential impacts, including:

- minimising construction related traffic movements at school drop off / pick-up times between 8am and 9am, and 3pm and 4pm.
- establishing a construction compound (**Figure 27**), to provide construction vehicle parking on-site and reduce street parking, and ensure the site compound allows construction vehicles to turn around within the site and exit in a forward direction.
- providing a dedicated student entry on the northern side of the construction compound, to avoid students crossing the construction site access driveway to enter the school grounds.
- allowing construction vehicles and storage of construction materials in the basement carpark once constructed, to reduce the visual and amenity impacts of the construction compound upon students and residents.

Figure 27 | Map of Construction Compound providing safe site access, truck turning circle, construction material storage and parking (Source: Applicant's RtS 2020)

The Department is satisfied that truck movements, unloading and parking can be adequately accommodated inside the proposed construction compound, and that impacts due to construction vehicles have been minimised and mitigated by the proposal. The Department has recommended conditions requiring the Applicant to prepare a CEMP, including an updated CTMP to be revised upon appointment on a construction contractor. The Department has also recommended conditions that require the Applicant to record the condition of roads and public infrastructure surrounding the site and make good any impacts attributable to the development upon completion of construction.

6.3.1 Operational traffic and transport

School drop-off and pick-up

The proposal is expected to create additional local traffic at school drop-off and pick-up times, and to potentially impact traffic due to the construction of a 6.1m wide driveway on Fraser Street providing access to the basement car park of the Building.

The TIA acknowledged existing vehicle congestion queues are often evident on Fraser Street and Shortland Avenue in the afternoon school peak period, associated with the Kiss & Ride (K&R) zone on Fraser Street. The TIA considered both impacts on the surrounding intersections, and localised mid-block traffic congestion, associated with student drop-off and pick-up. The Applicant's TIA included a SIDRA capacity analysis of nearby intersections undertaken to determine the intersection level of service (LoS) at key surrounding intersections in a 2028 future case with and without the development. The TIA concluded that key intersections would remain at level of service A, the highest possible, with the proposal not increasing intersection queuing or average delay.

TfNSW reviewed the RtS and raised no further concerns regarding the SIDRA modelling, queuing and congestion based upon the Applicant's TIA. The Department is satisfied that the modelling demonstrates that the development would not significantly alter the LoS performance of key intersections.

Although the development would not adversely affect key intersection performance, the Applicant acknowledged the need to increase the existing K&R zone to offset the loss of parking at the proposed new site access, address mid-block traffic congestion, and ensure safe and effective pick up and drop off movements around the school. The Applicant has proposed to create a new K&R zone along Shortland Avenue from the corner of Fraser Street by 108m and create an additional 15 parking bays for use (**Figure 28**).

Figure 28 | Map showing the proposed extension of the Kiss & Ride zone (Source: Applicant's RtS 2020)

The extension of the K&R zone is proposed to reduce the amount of traffic waiting and queuing to use the K&R zone along Fraser Street at peak times. It is also expected to reduce traffic blocking access to local resident's property, reduce queuing durations, and improve public safety through improved traffic flow. Extending the K&R zone would reduce the amount of unrestricted parking on Fraser Street and Shortland Avenue but this would be a minor impact. The Department agrees the proposed extension of the K&R zone would benefit public safety through the orderly movement of traffic and reduce congestion, and that on balance the K&R zone extension is satisfactory and beneficial for traffic flow.

On-site parking

The design of the underground car park would provide an additional 53 car parking spaces to support the development, including the anticipated additional 14 staff, by providing 59 off-street, secured parking spaces. The Applicant demonstrated the proposed carpark design complies with SDCP 2005 requirements for car parking at educational establishments, which is 1 space per 1.5 staff, plus a minimum of 1 accessible car space and a further 1 additional disabled car space for every additional 50 car spaces. TfNSW and Council raised no concerns regarding adequate provision of parking, or provision of accessible car parking spaces on the site.

The Department is satisfied the proposed additional car parking spaces associated with the development are satisfactory. The Department has recommended conditions requiring:

- the design of the car parking spaces and bicycle parking spaces to comply with the relevant Australia Standards.
- provision of 59 car spaces (net increase of 53 spaces) and the bicycle spaces as proposed by the GTP, including two accessible parking spaces under the SDCP 2005.

Mode share and active transport

The RtS provided additional commitments to increase modal shift from private vehicle use in response to TfNSW and Department concerns about mode share targets and bicycle parking provision.

In its submission on the EIS, TfNSW raised concerns that the proposed 'modal share' target for shifting to active transport modes proposed by the Applicant should be increased. The Department and TfNSW noted that the site is serviced by public transport including buses and trains, and the Applicant's draft GTP targets, while including specific targets to reduce private vehicle usage and promote sustainable development, should be increased. TfNSW's submission recommended the Applicant further consider its integrated transport and land use policies and recommendations to increase active transport.

In response to TfNSW's submission, the Applicant increased its modal shift target, targeting an 8-10% reduction in private vehicle share for students and teachers, and more substantial increase in public transport and active travel. The Department supports the Applicant's approach to promote sustainable transport, and has recommended conditions requiring the preparation, implementation and survey-based monitoring of the GTP, to promote diversification in staff and student transport options.

The Department and TfNSW raised concerns about inadequacy of bicycle parking in the EIS, as part of this modal shift process. While there are no specific requirements for specific numbers of bicycle parking under the SDCP 2005, development controls in relation to educational establishments 'encourages' incorporating bicycle trips into the design process of educational establishments, counting student arrival and departure routes with student survey, and implementing an 'Environmentally Sustainable Travel Plan' to support more sustainable travel modes. The Applicant has considered these objectives in the design of the Building and in the GTP, and increased bicycle parking provisions to 42 bicycle racks (from 13 racks) in the RtS. The Department considers that these measures are an important component of the GTP to reduce road congestion, queueing and other traffic impacts.

6.4 Other issues

The Department's consideration of other issues is provided in **Table 10**.

Table 10 | Summary of other issues raised

Issue	Findings	Findings / Recommendations
Stormwater	• The EIS included a Stormwater Design Report, which did not recommend construction of an onsite stormwater detention system (OSD) as no net change in the	• The Department is satisfied appropriate stormwater arrangements are proposed. • The Department has recommended conditions to ensure stormwater discharge from

	impervious area of the site would occur. • The design included water quality controls to treat stormwater to the relevant Council standards.	the site does not result in adverse impacts to local stormwater infrastructure.
Flooding	• EESG recommended that due to the development site being subject to inundation during a 1% AEP flood event and inundation depth of 0-0.3m, an Emergency Response Plan (ERP) including appropriate safety signs should be developed in consultation with NSW SES to mitigate flood risks.	• The Department has recommended conditions that the Applicant develop an ERP in consultation with the NSW SES prior to issue of an occupation certificate.
Contamination	• The EIS included a Preliminary Site Investigation and an Asbestos and Hazardous Materials Limited Pre-Demolition Survey. • A detailed site investigation was conducted and submitted in the RtS. These studies comprised a review of available current and historical site information and an intrusive soil investigation. • Soil assessment samples were analysed for asbestos and other potential contaminants of interest at the site, based upon historical site information. • Contaminant concentrations detected in detailed site assessment were below relevant statutory thresholds for all samples analysed. This indicates that no remediation action is required at the site (in absence of unexpected finds). • The Preliminary/Detailed Site Investigation concluded that the potential for contamination from industry or other similar sources is low. • The assessment concluded that the site is suitable in its present state for the intended sensitive use, and recommended that an unexpected finds protocol for contamination be prepared and implemented during construction.	• The Department has considered the information provided by the Applicant in accordance with the provisions of State Environmental Planning Policy 55 - Remediation of Land (SEPP 55). • Based on the results of the Phase 1 Preliminary site investigation (PSI) and Phase 2 Detailed site investigations (DSI), the Department is satisfied the site is suitable for the proposed use, and recommends conditions requiring implementation of an unexpected finds protocol.
Aboriginal heritage	• EESG did not raise any concerns with Aboriginal cultural heritage. • The ACHAR recommended that an unexpected finds protocol for Aboriginal objects and human remains be developed and implemented on the site.	• The Department has reviewed the ACHAR and is satisfied that the proposal is unlikely to result in any adverse Aboriginal cultural heritage impacts, subject to implementation of the recommendation of the ACHAR and an unexpected finds procedure.

Historic archaeology	• The EIS and RtS was supported by a Historical Archaeological Impact Assessment Report to investigate the presence of any historical archaeological remains or relics within the site and assess their significance. • The report concluded that archaeological potential of the site is low-moderate • The likelihood of archaeological finds in-situ is low due to the development of the site. • If present, the archaeological materials are unlikely to have heritage significance. Therefore, the proposed development is unlikely to impact on any significant archaeological relic or material. • The report recommended an unexpected finds protocol for historic archaeology be implemented for the site.	• The Department notes that Council and Heritage NSW raised no concerns regarding the archaeological potential of the site and the associated impacts due to the proposed development. • the Department is satisfied that the development is unlikely to have any impacts on significant archaeological relics that may be present within the site. • The Department has recommended a condition regarding the implementation of an unexpected finds protocol during construction works.
Operational Waste Management Plan	• The application included an Operational Waste Management Plan which details ongoing waste management measures, conformance of mobile waste containers to AS 4123.7-206 (R2017), location of bins within the Building and campus, and indicated that the existing waste management strategies for the College would continue to be in accordance with the SDCP.	• The Department has reviewed the Operation Waste Management Plan and recommended conditions to ensure that operational waste generated by the proposed building is appropriately managed in accordance with the SDCP 2005.
Community use social impacts	• The EIS considered the social impacts of the proposal and concluded that it would have an overall positive benefit as it would meet the growing demand for education in an area of significant population growth. • The EIS and RtS indicated that the site may accommodate a number of community use activities to share the school facilities. A number of these activities would continue to be located within the Building. To ensure the amenity of the nearby residents, the rooftop sports courts are not proposed to be offered for community use, and are not proposed to be used after dark. • The EIS and RtS indicated that the Applicant may host occasions, community functions, or run educational programs using the	• The Department is satisfied that the proposal would not pose significant additional environmental impacts but will potentially offering fit for purpose educational and sporting facilities for community use, subject to an approved Out of Hours Event Management Plan in accordance with development conditions. • The proposed development complies with the Education SEPP and would have a positive social impact by sharing school facilities with the community. • To ensure that out of hours use of the proposal is adequately managed, the Department has recommended conditions: o requiring the preparation of an Out of Hours Event Management Plan for school

	basketball courts during holiday breaks, as exceptions to the indicative use profile of 9am to 3pm Monday to Friday.	and community use events, requiring consultation with Council, for approval by the Planning Secretary. o the hours of use of the Building and sports courts are limited to those proposed in the EIS.
Development contributions waiver request	• In the EIS and RtS, the Applicant requested the waiver of $223,000 in development contribution fees (1% levy percentage of project CIV) payable to Council, as authorised by the Strathfield Indirect Development Contributions Plan 2010 (Indirect Contributions Plan) and section 7.12 EP&A Act. • The waiver was requested on the basis that community use was proposed for the two podium level sports courts between 9am and 3pm during school holidays. • The Department consulted Council about the request for waiver of the levy, and Council advised that it did not support the waiver request on the basis that Council considers the offer for community use to be of limited public benefit.	• The Department has formed the opinion that it is appropriate to impose as a condition of development consent, a requirement that the applicant pay the levy of 1% as authorised by the Indirect Contributions Plan. • The Department notes the Development is not exempted by the Strathfield Indirect Contributions Plan part 4.5. • The Department notes that, while there are positive benefits from the community use of the courts, the benefits of the public use proposal need to be considered in the context of the other cost impacts to infrastructure from the development. • The Department notes the two sports courts the College would offer for public use are not connected to any of the approved works specified at schedule 2 of Council's Indirect Contributions Plan, and therefore the offer would not offset any costs in relation to these planned works. • The Department notes that no quantum of total benefits, nor net benefits (community use benefits minus the cost impacts of the development on local amenities and infrastructure), was provided to support the request. • The Department is not satisfied that the offer of community use of the two sports courts is commensurate with the waiver of $223,000 of development contribution fees. The Department has imposed a condition on consent requiring the contribution be paid.
Public interest	• The EIS, as amended by the RtS, considers the proposal to be in the public interest.	• The Department is satisfied that the proposal is in the public interest as it would deliver increased education facilities for the growing population of Strathfield LGA, in an existing

school and using land that is already developed for the purpose of a school.

7 Evaluation

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, and considered advice from the public authorities, including Council. All issues raised have been considered and environmental issues associated with the proposal have been addressed. The Department concludes the impacts of the proposal are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the proposal is in the public interest and should be approved subject to conditions.

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* and is consistent with the State's strategic objectives as set out in the Greater Sydney Regional Plan, and Eastern City District Plan, as it would provide additional fit-for purpose education facilities and recreational sporting facilities to cater for the needs of students.

The proposal is suitable for the site and identified impacts of heritage, built form and urban design, transport and traffic and noise are considered satisfactory on balance when noting the mitigation measures that the Applicant proposes, and in the context of the benefit the proposal would provide for the community. The Department has recommended conditions to manage the potential construction and operational impacts on the surrounding land uses.

The proposal is in the public interest as it would provide benefits including:

- delivering increased educational facilities in the Strathfield LGA.
- providing educational facilities in an area in proximity to public transport facilities.
- delivery of 110 construction jobs, and 18 additional time teaching jobs.

8 Recommendation

It is recommended that the Executive Director, Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants consent** for the application in respect of SSD 10400.
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Recommended by:

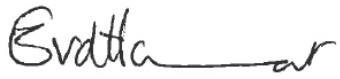
Benjamin Cox
Senior Environmental Assessment Officer
Social and Assessments

Recommended by:

Dominic Crinnion
Team Leader
Water and Intermodal Assessments

9 Determination

The recommendation is **Adopted** ~~/ Not Adopted~~ by:



15/01/2021

Erica van den Honert
Acting Executive Director
Infrastructure Assessments

Appendices

Appendix A – List of referenced documents

1. Environmental Impact Statement
2. https://www.planningportal.nsw.gov.au/major-projects/project/26031Submissions
3. Response to Submissions

https://www.planningportal.nsw.gov.au/major-projects/project/26031

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP).
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP).
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP).
- Draft Education SEPP (amendment)
- Strathfield Local Environmental Plan 2012 (SLEP 2012).
- Strathfield 2040 Draft Local Strategic Planning Statement (October 2019)

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

Table B1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as state significant development (SSD).	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposal is for the purpose of an educational establishment with a capital investment value (CIV) in excess of $20 million, under clause 15 of Schedule 1 of the SRD SEPP.	Yes

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)

The Education SEPP simplifies and standardises the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and construction requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 42 of the Education SEPP states that Development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted. The proposed development would exceed the permissible building height control within the SLEP 2012. The proposed height of the building is assessed as satisfactory when considering the built environment, landscape and positioning of the Building in relation to site boundaries. Under clause 42 of the Education SEPP, the proposed height may be approved despite the development exceeding the building height control in the SLEP 2012.

Clause 57 of the Education SEPP requires traffic generating development that involves the addition of 50 or more students to be referred to TfNSW. The Application was referred to TfNSW in accordance with this clause. TfNSW raised no concerns subject to recommended conditions, and indicated support for the proposal.

Clause 35(6)(a) requires that the design quality of the development be evaluated in accordance with the design quality principles set out in Schedule 4 of the Education SEPP. An assessment of the development against the design principles is provided in **Table B2**.

Table B2 | Consideration of the Design Quality Principles

Design Principles	Response
Principle 1 - context, built form and landscape	The design of the proposed development responds to the landscape of Breen Oval and sightlines through the new civic spaces through to the locally heritage significant Brother Hickey Building, connecting the built form and landscape of the new Building with the existing College. The built form allows for breezes and sunlight to penetrate the centre of the site, including the Building being situated with a north facing orientation to maximise sunlight and correspondingly sun shading to control solar gain. Building massing was considered in the design process and is not a significant impact, due to the location of the Building away from the school boundary and adjacent to Breen Oval. The Building has been designed to conform to existing building alignments and heights at podium level along Edgar Street, and to incorporate terraced spectator seating at Breen Oval. The sense of ease and accessible entry points encourage community interaction along the pedestrian thoroughfare of Edgar Street. The overall form, site layout and landscape approach ensure that negative impacts for neighbours, and overshadowing or visual amenity impacts at properties adjacent to the College, have been mitigated.

Principle 2 - sustainable, efficient and durable	The proposal has been designed with consideration of ESD principles and has incorporated these elements into the final design as detailed in **Section 4.5.3**. The proposal incorporates design and building features including: building orientation; high performance glazing; passive heating and cooling design; long lasting and low maintenance finishes; plantings on the rooftop mesh and podium level perimeter to minimise heat island effects (reducing energy required for air conditioning). The structural design at basement level allows for potential future development for the school to the west over the sports courts.
Principle 3 - accessible and inclusive	The proposal has been designed to be accessible and inclusive through the provision of accessible paths of travel from the site boundaries up to and around the Building, and increased accessible parking spaces onsite. The building design incorporates wayfinding signage identifying key areas within the school assisting visitors to navigate the site.
Principle 4 - health and safety	The proposed development has been designed to ensure a healthy and safe learning environment through allowing natural light, ventilation and acoustics. The perimeter of the school will be fenced ensuring security and safety for students. The proposed landscaping bordering the site also contributes to providing security yet is integrated into the public domain.
Principle 5 - amenity	The proposal provides a variety of internal and external learning places for both formal and informal educational, and sporting opportunities. The design of the proposed Building seeks to maximise natural light and ventilation to the indoor areas, while the landscaped areas provide opportunities for outdoor recreation, student use, and potential for community use. The significant setback of the building from the College boundary assists in reducing noise generated in and around the Building.
Principle 6 - whole of life, flexible, adaptable	The Building would allow for long term flexibility through the provision of flexible formal and informal learning areas to maximise opportunities as technology changes. The structural design at basement level allows for potential future development for the school to the west over the sports courts.
Principle 7 - aesthetics	The site design contrasts to existing site use and heritage which is appropriate and achieves aesthetic balance.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The Planning certificate submitted states that no orders, declarations, voluntary management proposal, ongoing maintenance order, or site audit statements exist for the land under the section 59(2) of the *Contaminated Land Management Act 1997*. Detailed site investigations and soils sampling for the site did not identify soil contamination and were submitted in the EIS and RtS.

Contamination is considered in **Section 6.4**. The Department considers, in accordance with clause 7 of SEPP 55, no further assessment would be necessary. The Department has recommended a condition for an unexpected find protocol during the construction works. Subject to the implementation of this procedure, the Department is satisfied that the site is suitable for a school.

Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP require that any remediation work that is to be carried out without development consent, is to be reviewed and certified by a certified contaminated land consultant. Any remediation work is to be categorised on the basis of scale, risk and complexity of the work and requires environmental management plans are developed for post-remediation management of sites or ongoing operation, maintenance and the management of on-site remediation measures (such as a containment cell). Environmental management plans are to be provided to the relevant local council. No such work is proposed for the site, as the site has been assessed as being below relevant statutory thresholds for the land use and zoning for the site.

The Department is satisfied that the proposal is consistent with the objectives of the Draft Remediation SEPP, as no remediation is required at the site, subject to an unexpected find.

Draft Education SEPP (amendment)

The Draft Education SEPP would retain the overarching objectives of the Education SEPP to facilitate the effective delivery of educational establishments and childcare facilities across the State.

The provisions of the Draft Education SEPP aim to improve the operation, efficiency and usability of the Education SEPP and to streamline the planning pathway for schools, TAFEs and universities that seek to build new facilities and improve existing ones. The exhibited Explanation of Intended Effects (EIE) also proposes changes to the threshold triggers for SSD under the SRD SEPP, specifically for schools and tertiary institutions.

The Department is satisfied that the proposal is consistent with the objectives of the Draft Education SEPP and continues to meet the requirements for SSD in accordance with the EIE.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)

SHC SREP provides planning principles for development within the Sydney Harbour catchment. The site is located within the Sydney Harbour Catchment area. The proposal is consistent with the relevant planning principles of the SHC SREP and would not have any significant adverse impact on the Sydney Harbour Catchment.

Strathfield Local Environmental Plan 2012 (SLEP 2012)

The Department has considered all relevant provisions of the SLEP 2012, provided in **Table B3**. The Department concludes the development is generally consistent with the relevant provisions of the SLEP 2012.

Table B3 | Consideration of the SLEP 2013

SLEP 2012	Assessment
Clause 2.3 Zone Objectives and Land Use Table	The site is zoned R2 Low Density Residential. The use of the site as a school is an innominate prohibited use in the zone. Under clause 35 of the Education SEPP, development for the purposes of a school may be carried out with development consent on land in a prescribed zone. Clause 33(f) Education SEPP states that R2 low density residential is a prescribed zone.
Clause 4.3 Height of buildings	The maximum height of buildings permitted on the land is 9.5m. The height of the Building is 17.96m (up to the roof top mesh), which exceeds the permissible building height. The development standard does not apply to this development. Clause 42 of the Education SEPP states that development consent may be granted for development for the purpose of a school that is State significant development. The proposed development achieves the objectives of this control as discussed in **Section 6.1.1**.
Clause 5.10 Heritage conservation	The school site includes an item of local significance as listed in SLEP 2012 (Brother Hickey Building). Other areas of heritage significance nearby have been determined to not be impacted by the development. The Department is satisfied that the proposal respects the heritage significance of the existing structures and the surrounding built environment.
Clause 6.2 Earthworks	Approval is sought for excavation works for the foundation of the Building and basement carpark. Conditions of consent are recommended to ensure relevant standards and guidelines are met in relation to the quality of any fill material used or disposed of, the reuse of excavated material, and ensuring drainage changes do not have adverse impacts. Conditions of consent also require preparation of pre and post construction dilapidation reports to ascertain any impacts on adjoining structures due to excavation works.

Strathfield 2040 Draft Local Strategic Planning Statement (October 2019)

The Strathfield 2040 Draft Local Strategic Planning Statement (October 2019) contains provision for sustainable transport planning, consideration and integration of educational institutions with sustainable and other transport infrastructure (bicycle routes, bus and train infrastructure) to discourage use of private vehicles by students, and renewal and inclusion of Kiss & Ride zones into transport planning.

The proposal is broadly consistent with these provisions, and caters to active and sustainable modes of transport, and the extension of the Kiss & Ride zone at the school.

Other policies

Under clause 11 of the SRD SEPP, Development Control Plans do not apply to SSD, however the objectives of the Strathfield Consolidated Development Control Plan 2005 have been considered, as detailed in **Section 6**.

Appendix C – Recommended Instrument of Approval